

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – SECOND MEETING

THURSDAY, JULY 14, 2022
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Act 220, Session Laws of Hawaii 2021, in order to allow public participation in a manner consistent with safe practices, this meeting shall be conducted as a remote meeting by interactive conference technology, as well as in-person for those testifying before the Commission. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Members of the public may observe the meeting on a live broadcast. The meeting may be observed by internet live streaming through <https://us06web.zoom.us/j/83530759533>; by dialing 1-408-638-0968 and entering the meeting ID#: 835 3075 9533#; or preferably via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

To provide the public with the best opportunity to observe the meeting, it is required to “mute” your device’s microphone to prevent technological difficulties.

All persons who are required to appear for the meeting have an option to appear in-person or virtually through the Zoom platform as described above. Please be aware that joining the meeting virtually will involve entering the meeting number and completing a registration process, so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, you may attend in person in Suite 600. While in Suite 600, all appropriate health and safety protocols will be observed.

If any major and insurmountable technical difficulties are encountered during the meeting, the Liquor Commission will automatically recess for up to thirty (30) minutes to restore communication. The meeting will reconvene when either audiovisual or audio-only communication is established with the same Zoom link provided. If it is not possible to reconvene the meeting as provided within thirty (30) minutes after an interruption to communication, all matters will be continued one week or to the next available hearing date.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission, subject to the following restrictions:

1. In-Person: Register with the staff at the Liquor Commission Office, Suite 600, by 4:00 p.m.
2. Virtual: Register through the Zoom link (above) or by going to the Liquor Commission's website: <http://www.honolulu.gov/liq/event-calendar/>.
3. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission at least three (3) working days prior to the date of the meeting via FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

APPROVAL OF MINUTES:

The minutes of the 33rd (3/10/22) meeting, as previously circulated, to be approved by the Commission.

PUBLIC HEARINGS:

- | | |
|---|--|
| 1. Appl. No. 22-23464 from Lani Spirits LLC, dba Lani Spirits LLC, 1070 North King Street, Unit 208 | For a Wholesale General license (Prelim. Hrg. 4/14/22)

(Continued from June 30, 2022, public hearing kept open)

[History: 6/6/22, 6/30/22] |
| 2. Appl. No. 22-24190 from Royal Koyo LLC, dba Khan Skewer Restaurant, 925 Isenberg Street | For a Restaurant Beer & Wine license (Category No. 1 – Standard Bar) (Prelim. Hrg. 5/19/22) |
| 3. Appl. No. 22-24518 from Yung Yee Kee Dim Sum, L.L.C., dba Yung Yee Kee Dim Sum, L.L.C., 1411 Kapiolani Boulevard | For a Restaurant General license (Category No. 1 – Standard Bar) (Prelim. Hrg. 5/26/22) |

LICENSE APPLICATIONS:

Special License Application:

- | | |
|--|--|
| 4. Appl. No. 22-25058 from Park Event Services LLC, dba Park Event Services LLC, 1 Aloha Tower Drive (Aloha Tower Marketplace) | For a Special General license from 3:00 p.m. to 10:30 p.m., on Saturday, July 23, 2022

(Graduation party) |
|--|--|

PRELIMINARY HEARINGS:

- | | |
|---|---|
| 5. Appl. No. 22-24064 from Flavors of Italy, LLC, dba Flavors of Italy, Wholesale General license (C0113) | For a change of location from 875 Waimanu Street, Suite 317 to 978 Kawaiahao Street |
|---|---|

PRELIMINARY HEARINGS: (CONT.)

6. Appl. No. 22-24794 from
41 Home Made, Inc., dba
Asahi Grill, 3008 Waialae
Avenue

For a Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing)

LICENSE APPLICATIONS: (CONT.)

Caterer License Application:

7. Appl. No. 22-25038 from
Sodexo America, LLC, dba
Sodexo America, LLC,
Restaurant General license
(Category No. 2 - Live
Entertainment or Recorded
Music and Dancing),
777 Ward Avenue (R1124)

For a Caterer's license to cater off
the licensed premises to
2805 Monsarrat Avenue (Waikiki
Shell), on the following days:

- 1) Friday, July 29, 2022, from
2:00 p.m. to 10:00 p.m.; and
- 2) Saturday, July 30, 2022, from
2:00 p.m. to 10:30 p.m.

(Kokua Foundation Benefit)

REQUESTS:

8. Request No. 22-25054
from Ruma Spear LLC,
dba Arnold's Beach Bar &
Grill, Dispenser General
license (Category No. 3 –
Live Entertainment or
Recorded Music and
Dancing), 339 Saratoga
Road (E1431)

Requesting approval to obtain
remaining liquor inventory from
Ruma Spear LLC, dba King's Pub,
Dispenser General license (Category
No. 3 – Live Entertainment or
Recorded Music and Dancing),
444 Niu Street, Lower Lobby,
Suites 4/5 (E1474)

(Continued from July 7, 2022)

9. Request No. 23-00005
from Don Goyo's Mexican
Food Inc., dba Don Goyo's
Mexican Food, Restaurant
General license (Category
No. 1 – Standard Bar),
45-480 Kaneohe Bay
Drive, Space #D-03,
Kaneohe (R1420)

Requesting approval to renew its
liquor license for fiscal year
2022 – 2023 after the June 30, 2022
deadline, pursuant to Rule 3-82-
31.4(b)

REQUESTS: (CONT.)

- | | |
|--|--|
| 10. Request No. 23-00013
from Rangoon Burmese
Kitchen LLC, dba
Rangoon Burmese
Kitchen, Restaurant
General license (Category
No. 1 – Standard Bar),
1131 Nuuanu Avenue
(R1363) | Requesting approval to renew its
liquor license for fiscal year
2022 – 2023 after the June 30, 2022
deadline, pursuant to Rule 3-82-
31.4(b) |
|--|--|

OTHER BUSINESS:

- | | |
|--|---|
| 11. Request No. 22-25080
from Devon Nekoba,
authorized agent, on
behalf of Gen Kapolei LP,
dba Gen Korean BBQ
House | Requesting waiver of Rule 3-82-
32.1(a) requiring a temporary
license application be filed within
five (5) working days of the
cancellation of the previous license
or the closing of the business

(Premises at 91-5431 Kapolei
Parkway, Suite 1103, Kapolei, the
former site of Applebee's (R1239)) |
| 12. Request No. 23-00050
from Wayne Luke, Esq.,
on behalf of AAHII.ORG | Requesting waiver of Rule 3-82-
32.1(a) requiring a temporary
license application be filed within
five (5) working days of the
cancellation of the previous license
or the closing of the business

(Premises at 891 Valkenburgh
Street, the former site of Pearl
Harbor – Honolulu Branch 46, Fleet
Reserve Association (F0019)) |

ADJUDICATION HEARINGS:

- | | |
|---|--|
| 13. Agave & Vine, LLC
(LCV 21-0056)
(E1587) | Licensee failed to timely submit the name of every person then employed on the licensed premises who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about August 31, 2020) |
| 14. Agave & Vine, LLC
(LCV 22-0062)
(E1587) | Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within the licensed premises before or after the hours established by the Liquor Commission (Violation of Rule 3-82-38.20(b)) (Date of Violation: On or about May 7, 2022) |
| 15. Chambers & Chambers, Inc.
(LCV 22-0047)
(C0105) | <div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;">(1)</div><div>Licensee sold liquor at wholesale prices without invoicing the vendee's license number (Violation of Section 281-42(b)(1), HRS) (Date of violation: On or about October 17, 2018)</div></div> <div style="display: flex; align-items: flex-start; margin-top: 10px;"><div style="margin-right: 10px;">(2)</div><div>Licensee conducted business outside of the class or category authorized by the Commission (Violation of Rule 3-82-31.2(a)) (Date of violation: On or about October 17, 2018)</div></div> |
| 16. 2012 Sports Bar & Café
(nka Club Melo)
(LCV 21-0247)
(R0713) | Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employees when those employees were on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about August 6, 2021) |

ADJUDICATION HEARINGS: (CONT.)

- | | |
|--|--|
| 17. Pot Pot Shabu Ramen & BBQ House
(nka Club Melo)
(LCV 21-0262)
(R0713) | Licensee made physical alterations within its licensed premises without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or about March 16, 2021) |
| 18. Club Melo
(fka 2012 Sports Bar & Café)
(LCV 22-0021)
(R0713) | Licensee permitted entertainment which caused complaints from the public or reports from the Commission's investigators indicating that sounds emanating from the licensed premises caused undue disturbance which disrupted the peace and quiet of the neighborhood (Violation of Rule 3-84-78.03(b)) (Date of violation: On or about January 15, 2022) |
| 19. Club 939
(LCV 19-0235)
(E0270) | <div style="display: flex; align-items: flex-start;"><div style="margin-right: 10px;"><div>(1)</div><div>(2)</div><div>(3)</div></div><div><p>Licensee employed a person in that section of the licensed premises where liquor is sold, served, or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about June 28, 2019)</p><p>Licensee failed to ensure that its employee have his/her certificate of registration for the licensed premises readily available for inspection while on duty (Violation of Rule 3-82-38.5(e)) (Date of violation: On or about June 28, 2019)</p><p>Licensee employed a person as a dancer in that section of the licensed premises where liquor is sold, served or consumed without said dancer being properly registered with the Commission (Violation of Rule 3-82-38.6(a)) (Date of violation: On or about June 28, 2019)</p></div></div> |

ADJUDICATION HEARINGS: (CONT.)

- Club 939
(LCV 19-0235)
(E0270)
(Cont.)
- (4) Licensee employed a person in that section of the licensed premises where liquor is sold, served, or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about June 28, 2019)
- (5) Licensee failed to make time record entries at the time its employees reported on duty and again when the employees went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about June 28, 2019)
- (Continued from July 7, 2022, for penalty phase)
- [History: 7/7/22, 5/26/22, 4/28/22]
20. Et Al.
(LCV 22-0077)
(R1423)
- Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor, at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about May 17, 2022)
21. Free Spirits LLC
(LCV 21-0208)
(H1366)
- Licensee made or permitted to be made from its licensed premises, or an adjacent area under Licensee's control, noise which resulted in a complaint from one or more residents or tenants in the vicinity and exceeded the maximum permissible sound levels (Violation of Rule 3-82-38.23(b)) (Date of Violation: On or about May 21, 2021)
22. Hiipaka LLC
(LCV 22-0050)
(R1043)
- (1) Licensee conducted business outside of the class or category authorized by the Commission (Violation of Rule 3-82-31.2(a)) (Date of violation: On or about July 19, 2018)

ADJUDICATION HEARINGS: (CONT.)

- | | |
|---|--|
| Hiipaka LLC
(LCV 22-0050)
(R1043)
(Cont.) | (2) Licensee failed to notify the Commission, in writing, of any management and/or operating agreement prior to such agreement taking effect (Violation of Rule 3-82-41.4) (Date of violation: On or about January 24, 2017) |
| (Continued from June 9, 2022) | |
| 23. Playbar
(LCV 21-0102)
(I0001) | Licensee failed to timely submit the name of every person then employed on the licensed premises who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about September 30, 2020) |
| 24. Puka's Hole in the Mall
(LCV 22-0078)
(R1108) | Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor, at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about May 17, 2022) |
| 25. Legend Seafood Restaurant
(LCV 21-0121)
(E1114) | (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-01 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about February 24, 2021) |

ADJUDICATION HEARINGS: (CONT.)

Legend Seafood
Restaurant
(LCV 21-0121)
(E1114)
(Cont.)

- (2) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about February 24, 2021)

(Charge 1 continued from January 13, 2022 for contested hearing; Charge 2 adjudicated on January 13, 2022, penalty imposed)

[History: 12/16/21, 1/13/22]

OTHER BUSINESS: (CONT.)

26. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

27. Liquor Commission

Creation of a Permitted Interaction Group to prepare for the search of a new Honolulu Liquor Control Administrator. The Permitted Interaction Group will discuss qualifications and attributes of the Honolulu Liquor Control Administrator and will create a description of the position and state the desired qualifications required to fill the role of Honolulu Liquor Control Administrator

Executive Session – To consult with the board's attorney on questions and issues on a matter pertaining to the board's powers, duties, privileges, immunities, and liabilities

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.

Continued from

JUN 30 2022 to JUL 14 2022

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

DATE: June 30, 2022

SUBJECT: New Application No. 22-23464 Lani Spirits LLC dba Lani Spirits
LLC, Wholesale General license, located at 1070 N. King Street, Unit 208,
Honolulu, HI, 96817

NEIGHBORHOOD BOARD NOTIFICATION:

On June 29, 2022, Emmanuel Zibakalam submitted a Neighborhood Board Return Receipt, to this writer to show that notification was made to the Kalihi-Palama Neighborhood Board.

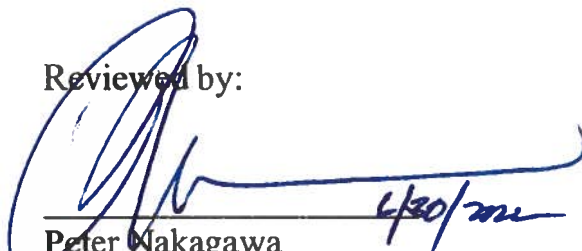
Zibakalam additionally stated that he turned in at the time of mail-out packet, and it may have been a clerical error.

The Neighborhood Board Return Receipt was submitted to the Commission on June 29, 2022, for additional information please refer to **Exhibit A**.



Daniel Sato
Supervising Investigator

Reviewed by:



Peter Nakagawa
Chief Investigator

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2027 JUN 29 P 1:15



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature X [Redacted Signature] <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
1. Article Addressed to: Ken Farm NP. 15 925 Dillingham Blvd # 166 Honolulu Hi 96817  9590 9402 7359 2028 4673 39		B. Received by (Printed Name) [Redacted Name] C. Date of Delivery	
2. Article Number (Transfer from service label) 7020 0640 0001 6379 6401		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail		<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
PS Form 3811, July 2020 PSN 7530-02-000-9053		Restricted Delivery Domestic Return Receipt	
USPS TRACKING #  9590 9402 7359 2028 4673 39		First-Class Mail Postage & Fees Paid USPS Permit No. G-10	
United States Postal Service		* Sender: Please print your name, address, and ZIP+4® in this box* Pacific Business Advocates P.O. Box 11351 Honolulu Hi 96828	



EXHIBIT A

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

DATE: June 23, 2022

SUBJECT: New Application No. 22-23464 Lani Spirits LLC dba Lani Spirits LLC, Wholesale General license, located at 1070 N. King Street, Unit 208, Honolulu, HI, 96817

STATUTORY REQUIREMENTS NOT MET:

On an application for a class 3 Wholesaler dealers license, the applicant shall mail a notice setting forth the time and place of the hearing on the application to not less than two-thirds of the registered voters residing within, and small businesses situated within, a distance of five hundred feet from the nearest point of the premises for which the license is asked and not less than three-fourths of the registered voters residing within, and small businesses situated within, a distance of one hundred feet from the nearest point of the premises for which the license is asked of.

On May 3, 2022, the Affidavit of Mailing, Master Lists for what appears to be owners and lessees of record (100 feet and 500 feet), list of small businesses, and list of condominiums, and Proof of Mailing was submitted to the Commission. The discrepancies are listed below.

AFFIDAVIT OF MAILING:

According to the notarized Affidavit of Mailing, was left unfilled (blank) which appeared to indicate that there were no registered voters within 500 feet and 100 feet, from the proposed premises.

On the second page of the Affidavit of Mailing, the applicant also did not indicate that any notices of public hearing were sent out to the registered voters within 500 feet and 100 feet. For further information see **Exhibit A**.

According to the Affidavit of Mailing Emmanuel Zibakalam signed and certified the applicant's information for the mail-out.

MASTER LIST:

It was noted that no master list identifying the registered voters were submitted under the statutory requirement Hawaii Revised Statutes §281-57(c)(2) &(3). The applicant did not submit a voter registration listing, master list of one hundred

MASTER LIST (CONTINUED):

percent of addressees and addresses required by paragraph (2) Registered Voters and no mailing list for registered voters.

Pursuant to Hawaii Revised Statutes §281-57 (c) (2) In counties with a population of five hundred thousand or more, not less than two-thirds of the registered voters residing within, and small businesses situated within, a distance of five hundred feet from the nearest point of the premises for which the license is asked; provided that in meeting this requirement, the applicant shall mail notices to not less than three-fourths of the registered voters residing within, and small businesses situated within, a distance of one hundred feet from the nearest point of the premises for which the license is asked. This paragraph shall not apply to applications for class 2, class 4, class 12, and class 15 licenses. A notice sent pursuant to this paragraph shall be addressed to the "occupant" of the residential unit or small business;

Pursuant to Hawaii Revised Statutes §281-57 (c) (3) The notices required under this subsection shall be mailed at least forty-five days prior to the date set for the hearing. No promotional information shall be allowed on, or accompany the notice. Before the hearing, and within seven business days of having mailed the notices, the applicant shall file with the commission an affidavit that the notices have been mailed in compliance with this subsection.

In addition to the affidavit (which shall be made available within the same seven-business-day period with proof of having mailed the notices), the applicant shall include both a master list of one hundred per cent of addressees and addresses required by paragraphs (1), (2), and (3), and another mailing list consisting of the portion of addressees and their respective addresses who were mailed the notice purposely needed to meet the requirements of paragraphs (1), (2), and (3).

The affidavit, master list, and mailing list shall be made available within seven business days (of the mailing of the notice by the applicant) by the commission for public review upon request.

For purposes of this section, "master list" means every owner and lessee who would otherwise be required to receive notice of the public hearing according to the requirement of paragraphs (1), (2), and (3), even if they were not actually included in the two-third or three-fourths requirement (as the case may be) of paragraph (1) or (2), and every condominium project and cooperative apartment qualifying in paragraph (3).

MASTER LIST (CONTINUED):

When the requirements of this section have not been met, the commission may cancel the hearing or continue the public hearing subject to the provisions of this section.

ADDITIONAL DISCREPANCIES FOUND:

This writer found additional issues and discrepancies within the mail-out.

- No valid voters registration list was submitted. The voters registration list that was turned in by the applicant on July 26, 2021, was the incorrect District/Precinct 18/04, (Kahala/Kaimuki). See **Exhibit B**.
- No proof of mailing list showing registered voters were notified.
- No Neighborhood Board Return Receipt or Notification was made. A receipt was submitted for a different Neighborhood Board. See **Exhibit C**.

NOTIFICATION TO AUTHORIZED AGENT:

On Thursday, June 9, 2022, at 8:38 a.m., this writer sent an email to authorized agent Mia Obciana regarding the Affidavit of Mailing discrepancies. Within this email a request was made for the registered voters list or any of the aforementioned documents readily available, to send it to our office asap for review.

On Wednesday, June 15, 2022, at 2:03 p.m., this writer sent a follow-up to authorized agent Obciana, regarding the lists as requested.

On Wednesday, June 15, 2022, at 2:41 p.m., Obciana sent an email to this writer that registered voters list was submitted on June 9, 2022.

On Wednesday, June 15, 2022, at 2:55 p.m., this writer sent Obciana an email confirming receipt of a voter registration list, found on Investigator Foster's desk, time stamped June 9, 2022, at 1:09 p.m. This writer also asked Obciana to confirm that this listing was the registered voter listing for 100 feet and 500 feet for this proposed premises to verify the mail-out. See **Exhibit D**.

On Wednesday, June 15, 2022, at 3:15 p.m., Obciana sent an email to this writer stating that, "Notices were sent to the addresses listed in the mailing list provided with the proof of mailing and affidavit. I also provided you the list of registered

NOTIFICATION TO AUTHORIZED AGENT:

voters from the County Clerk's office for further verification. If you require additional information, please let me know and I will get it to you as soon as possible. If the mailing needs to be completely redone, I would like to know as soon as possible to minimize the delay to my client."

On Wednesday, June 15, 2022, at 3:28 p.m., this writer emailed Obciana, "I am trying to verify that you have sent notices to registered voters as required by §281-57, as of right now I do not have a listing showing which registered voters received notices. If there was a master list showing registered voters list that show 100% and a list of registered voters shown by proof of mailing I can use, it will help determine what was done so I can do a supplemental report. I am asking you to assist me in providing the documents, if you have any with the mail out."

On Wednesday, June 15, 2022, at 3:32 p.m., Obciana sent an email to this writer stating that, "Per my previous email, a master list and a mailing list was provided with the affidavit of mailing. These lists show who notices were mailed to. Additionally, a list of registered voters was provided last week Thursday. Between these lists, you should have information about what registered voters are in the area and who notices were mailed to. If you require additional information, please specify what information is needed and I will attempt to get that to you as soon as possible. If the mailing needs to be done again completely, please let me know as soon as possible as this application has been delayed for quite a long time and has been costing my client a great deal of money.

On Wednesday, June 15, 2022, at 3:39 p.m., this writer notified Obciana that this will be discussed with Acting Administrator Anna Hirai.

Obciana was notified of the discrepancies of the voter lists and the other aforementioned issues, by Acting Administrator Hirai.

On Friday, June 17, 2022, Obciana sent an email to this writer, with the voter registration list, and the mailing list for the area of the premises.

The proof of mailing to the registered voters under the HRS §281-57 (c) (2) requirement was not submitted.

EXHIBITS LIST WITH DESCRIPTIONS:

Exhibit A: Affidavit of Mailing received May 3, 2022, indicating that there were no registered voters within 500 feet and 100 feet, from the proposed premises and none were mailed to within 500 feet and 100 feet.

EXHIBITS LIST WITH DESCRIPTIONS:

Exhibit B: The voter's registration list that was turned in by the applicant on July 26, 2021, that was the incorrect District/Precinct 18/04, (Kahala/Kaimuki).

Exhibit C: The Neighborhood Board Return Receipt submitted for a different Neighborhood Board.

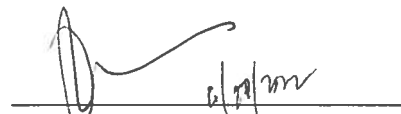
Exhibit D: The voter registration list, time stamped on June 9, 2022, at 1:09 p.m. was turned in by the applicant, with the wrong the incorrect District/Precinct 18/04, (Kahala/Kaimuki).

Based on the following information, pursuant to HRS §281-57 (c)(2)& (3) statutory requirements for mailing have not been met.



Daniel Sato
Supervising Investigator

Reviewed by:



Peter Nakagawa
Chief Investigator

AFFIDAVIT OF MAILING

2022 MAY -3 P 4: 25

STATE OF HAWAII)
City and County of Honolulu) SS.

Emmanuel Zibakalam, being first duly sworn, deposes and says that he or she is authorized to and does make this verification for and on behalf of the applicant Lani Spirits LLC, dba Lani Spirits LLC, named in the application for liquor license designated as Application No. 22-23464, on file at the office of the Liquor Commission of the City and County of Honolulu.

That to the best of his or her knowledge and belief, the total number of individual owners or lessees of record of real estate (including owners or lessees of condominiums) and of shares in a cooperative apartment building, the total number of small businesses, the total number of registered voters, the total number of condominiums, and the total number of cooperative apartment buildings within the designated distances from the nearest point of the premises for which the license is proposed are:

<u>Within 500 feet</u>		<u>Within 100 feet</u>	
No. of owners and lessees of record ¹	<u>203</u>	No. of owners and lessees of record ¹	<u>150</u>
No. of small businesses ²	<u>35</u>	No. of small businesses ²	<u>5</u>
No. of registered voters ^{2,3}	<u> </u>	No. of registered voters ^{2,3}	<u> </u>
No. of condominiums ¹	<u>2</u>	No. of condominiums ¹	<u>1</u>
No. of cooperative apartment buildings ¹	<u> </u>	No. of cooperative apartment buildings ¹	<u> </u>
TOTAL <u>240</u>		TOTAL <u>156</u>	

1. For all new licenses going to public hearing and for transfers of dispenser and cabaret class licenses.
2. For all new licenses going to public hearing except a hotel as defined in section 486K-1, a restaurant, or a convenience store and for transfers of dispenser and cabaret class licenses.
3. Voter registration lists are available from the office of the City Clerk; call 523-4293 for information.

That a notice setting forth the time and place of the public hearing, which is 4:00 p.m., June 9, 2022, to be held at the hearings room of the Liquor Commission, sixth floor of the Pacific Park Plaza, 711 Kapiolani Boulevard, Honolulu, Hawaii 96813, was mailed on April 25, 2022, which is not less than forty-five days prior to the date set for the public hearing, to not fewer than two-thirds of the owners and lessees of record, of the small businesses, and of the registered voters within 500 feet, to not fewer than three-fourths of the owners and lessees of record, of the small businesses, and of the registered voters within 100 feet, and to the resident managers of all of the condominiums and all of the cooperative apartment buildings within 500 feet. For the purposes of this requirement, notice to one co-owner and one co-lessee shall be sufficient notice to all co-owners and all co-lessees, except that one notice shall be sent to each individual unit of a cooperative apartment.

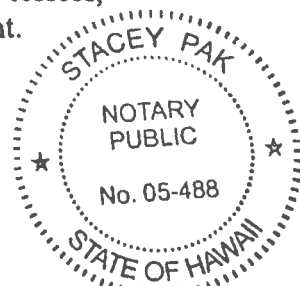


EXHIBIT A

Within 500 feet			Within 100 feet		
	Number	Per Cent		Number	Per Cent
To owners and lessees of record ¹	203	100 %	To owners and lessees of record ¹	150	100 %
To small businesses ²	35	100 %	To small businesses ²	5	100 %
To registered voters ²		%	To registered voters ²		%
To managers of condominiums and cooperatives ¹	2	100 %	To managers of condominiums and cooperatives ¹	1	100 %
TOTAL notices mailed ¹	240		TOTAL notices mailed ¹	156	

1. For all new licenses going to public hearing and for transfers of dispenser and cabaret class licenses.
2. For all new licenses going to public hearing except a hotel as defined in section 486K-1, a restaurant, or a convenience store and for transfers of dispenser and cabaret class licenses.

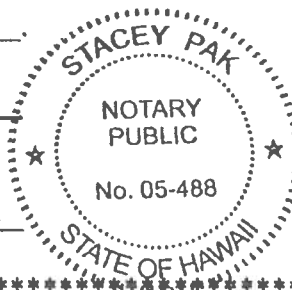
Emmanuel Zibakalam

Authorized Agent

Subscribed and sworn to before me
this 3rd day of May, 2022.

Notary Public, First Judicial Circuit,
State of Hawaii

My commission expires: July 19, 2023



Doc. Date 05/03/2022 # Pages: 2
Stacey Pak First Circuit
Doc. Description Affidavit of Mailing
Notary Signature [Signature] Date 05/03/2022

NOTARY CERTIFICATION

This affidavit must be filed with the Commission not later than seven business days after the mailing of the notices of public hearing.

See Hawaii Revised Statutes sections 281-39.5, 281-56(a)(9), 281-57, 281-59, and 281-60, and see Rules 3-83-53.1 and 3-83-57.1 of the Liquor Commission of the City and County of Honolulu. See Rule 3-83-57.4 for the related requirement to notify the Neighborhood Board.

Lani Spirits LLC

(Mia D. Obciana)

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2021 JUL 26 P 4:39

18/04

EXHIBIT B

Voter Registration Data for Liquor License Compliance

Sorted by Street Name

EXHIBIT *b*

RIEDEL
-IGUDR COMITIS ON
C&C OF HANNULL
2011 JUL 20 12 4: 39

CITY & COUNTY OF HONOLULU
VOTER REGISTRATION LIST BY DISTRICT/PRECINCT

[illegible]

EXHIBIT B

EXHIBIT D



CITY & COUNTY OF HONOLULU
VOTER REGISTRATION LIST BY DISTRICT/PRECINCT[illegible]

EXHIBIT B

EXHIBIT



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAY -3 P 4: 24

7020 0640 0001 6379 6395

U.S. Postal Service [®]	
CERTIFIED MAIL [®] RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
Honolulu, HI 96813	
Certified Mail Fee	\$3.75
	\$3.05
Extra Services & Fees (check box)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$7.38
Sent To	
Laura Sturges	
Street and Apt. No., or PO Box No.	
55 S. Kukui St. D406	
City, State, ZIP+4 [®]	
Honolulu HI 96813	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

EXHIBIT C

Lani Spirits LLC

(Mia D. Obciana)

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2022 JUN -9 P 1:09

18/04

EXHIBIT D

Voter Registration Data for Liquor License Compliance

Sorted by Street Name

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

[illegible]

EXHIBIT D

RECEIVED
LIQUOR COMMISSION
C&G. OF Suffix:

2022 JUN -9 11:09

[illegible]

EXHIBIT D

RECEIVED
LIQUOR COMMISSION
CCL OF HONOLULU
2022 JUN -9 P 1:09

EXHIBIT D

EXHIBIT D

RECEIVED
HONOR COMMISSION
C & C OF HONOLULU
2022 JUN -9 P 1:00

EXHIBIT D

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2022 JUN 9 7 10 09

Continued from

JUN 9 2022 to JUN 30 2022

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

DATE: June 8, 2022

SUBJECT: New Application No. 22-23464 Lani Spirits LLC dba Lani Spirits LLC, Wholesale General license, located at 1070 N. King Street, Unit 208, Honolulu, HI, 96817

LETTER FROM AUTHORIZED AGENT MIA OBCIANA APRIL 12, 2022:

On April 12, 2022, applicant's authorized agent, Mia Obciana, submitted a letter to the Commission in response to Investigator Matthew Foster's Licensing investigative report, dated March 14, 2022. For more information see **Exhibit A1**.

Obciana makes the following statements within her letter as indicated below.

1. "In said section, Investigator Foster mentioned that Ms. Lim's status as an employee of J&D Investments LLC dba Palama Supermarket is a potential violation of Haw. Rev. Stat. §281-42. This issue is easily resolved with Ms. Lim's immediate resignation from J&D Investments LLC."
2. "Next, on page 6 of the Investigative Report, Investigator Foster claims Ms. Lim has ownership interest in the following entities: (1) Yoda LLC dba BBQ Chicken Hawai'i; (2) J&J Investment Group LLC dba Palama Express; (3) I&E Investment Inc. dba Palama Supermarket Waimalu; and (4) H&K Inc. dba Palama Supermarket. These assertions are false."
3. "Mr. Foster's Investigative Report claims that Ms. Lim is the "current Authorized Agent" for Yoda LLC. As you can see in Exhibit A, attached, in the business information for Yoda LLC, the registered Agent is named Yong Il Yoon and not Ms. Lim."
4. "Heather Lim does not have any ownership or hold any interest in and is not an agent or employee (as of the date of this letter) of, any entity that holds a retail license. She is not an never has been an officer, director, or registered agent of Yoda LLC, J&J Investment Group LLC, I&E Investment Inc., or H&K Inc. The fact that Ms. Lim's husband is an officer or director of a number of the above entities should not preclude her from establishing a business of her own and obtaining a wholesale license."

LETTER FROM AUTHORIZED AGENT MIA OBCIANA APRIL 12, 2022:

Obciana represented before the Commission at the preliminary hearing on April 14, 2022, (Heather Lim the applicant) *is not and never has been* an officer, director, or *registered agent for*:

- Yoda LLC dba BBQ Chicken Hawai'i;
- J&J Investment Group LLC dba Palama Express;
- I&E Investment Inc. dba Palama Supermarket Waimalu
- H&K Inc. dba Palama Supermarket.

RESPONSE TO AUTHORIZED AGENT MIA OBCIANA'S STATEMENTS:

1. Obciana's statement, regarding Ms. Lim's status as an employee of J&D Investments LLC dba Palama Supermarket is easily resolved with Ms. Lim's immediate resignation from J&D Investments LLC." **This appears to confirm Investigator Foster's initial issue of Hawaii Revised Statutes §281-42, in Licensing Report.**
2. Obciana's statement that Investigator Foster's report references Heather Lim as the spouse of Daniel Lim. According to the Liquor Commission Information System, Daniel Lim is the Officer, Director, Stockholder, Member, and Manager of several Retail and Restaurant licenses, to include:
 - I&E Investment, Inc. dba Palama Supermarket Waimalu,
 - J&J Investment Group LLC dba Palama Express, and
 - Yoda LLC dba BBQ Chicken Hawaii.

Upon further review, it was further indicated by Heather Lim's Personal History Affidavit, that her employer, as of September 2010, till present was J&D Investments LLC dba Palama Supermarket Makaloa.

In Heather Lim's capacity, pursuant to HRS §281-1, "Person" means and includes natural persons, associations, copartnerships, limited liability companies, and corporations, and also includes any agent, servant, and employee of such person.

Heather Lim was deemed to be a "Licensee" pursuant to HRS §281-1, as in her capacity as an agent, and as an employee of the holder of a license, to include: I&E Investment, Inc, J&J Investment Group LLC, and Yoda LLC.

RESPONSE TO AUTHORIZED AGENT MIA OBCIANA'S STATEMENTS:

3. Obciana's memorandum stated, "Heather Lim does not have any ownership or hold any interest in and **is not an agent or employee (as of the date of this letter) of, any entity that holds a retail license. She is not and never has been an officer, director, or registered agent of Yoda LLC.**"

Heather Lim is an authorized agent pursuant to HRS §281-1, for Yoda LLC, which is currently exercises a Restaurant Class License, within the City and County of Honolulu.

Exhibit A2- Honolulu Liquor Commission form LIQ-LIC-106, "Liquor Commission City and County of Honolulu Notification of Authorized Agent" dated December 2, 2021, and effective as of December 2, 2021, until December 2, 2022, (expiration), was filed with the Commission on December 3, 2021.

This notification of Authorized Agent was signed by Daniel Lim, who authorized the applicant, Heather Lim to act for or be the representative of the licensee or applicant in Commission proceedings, for Yoda LLC.

In accordance with Rules of the Liquor Commission §3-81-19.3 (a) When an individual, acting in a representative capacity on behalf of a party, appears in a proceeding or signs a document submitted to the Commission, that *personal appearance or signature shall constitute a representation that the individual is lawfully authorized to so act.*

Exhibit A3- Honolulu Liquor Commission form LIQ-LIC-157 form, Request for Employment of a Minor dated December 2, 2021, filed with the Commission on December 20, 2021, under request #22-24212.

Heather Lim is identified on the form as a "Supervisor" of Yoda LLC, dba BBQ Chicken Hawaii, under liquor license #R1462.

Exhibit A4- On a document with the heading, Yoda LLC, dba BBQ Chicken Hawaii, was dated on December 2, 2021, and received by the Commission on December 20, 2021, regarding a "request for the approval for minor employment", which was signed by Heather Lim.

Exhibit A5- According to the Liquor Commission Information System, Heather Lim is currently a registered manager for the following licensees:

- Yoda LLC, dba BBQ Chicken Hawaii,
Restaurant Beer & Wine, Category #1- Standard license
License #R1462. Position: Manager effective 11/10/21 to 11/09/25

RESPONSE TO AUTHORIZED AGENT MIA OBCIANA'S STATEMENTS:

- J & J Investment Group LLC, dba Palama Express
Retail General License #D1232
Position: Manager effective 11/10/21 to 11/09/25

4. Obciana represented in her letter to the Commission that, "In said section, Investigator Foster mentioned that Ms. Lim's status as an employee of J&D Investments LLC dba Palama Supermarket is a potential violation of Haw. Rev. Stat. §281-42. This issue is easily resolved with Ms. Lim's immediate resignation from J&D Investments LLC."

In response Obciana's letter regarding the potential violation of Haw. Rev. Stat. §281-42, being resolved with Ms. Lim's immediate resignation from J&D Investments LLC. This is false, as it appears that issues still exist, of HRS §281-42.

Exhibit B1- According to a document filed with the Commission, titled, "Commercial Space Lease", of Yoda LLC, and Trustees of the Estate of Bernice Pauahi Bishop, **Heather Lim is named as a guarantor with Daniel Lim and Young Il Yoon, for the now current licensed liquor premises of Yoda LLC.**

Exhibit B2- According to the lease of Lani Spirits LLC, as tenant and H&K, Inc., as the landlord executed the lease made as of June 1, 2020.

Daniel Lim as the Chief Operation Officer, of H&K, Inc., (as landlord) and Heather Lim as the Owner of Lani Spirits LLC, (as tenant) executed the lease. The Commencement date was June 1, 2021.

H&K Inc. dba Palama Supermarket, is a Retail licensee, under license #D0650.

§281-42 (a) It shall be unlawful for any person holding a...wholesale dealer's license to induce the purchases of a retail licensee by: (1) **Acquiring or holding any interest in any license of a retail licensee;**

(2) **Acquiring any interest in the real or personal property owned, occupied, or used by a retail licensee in the conduct of its business,** unless the holding of such interest is permitted under the regulations of the liquor commission or statement thereof has been filed with the commission and has not been disapproved by it.

RESPONSE TO AUTHORIZED AGENT MIA OBCIANA'S STATEMENTS:

(3) Furnishing, giving, renting, lending, or selling to a retail licensee any equipment, fixtures, signs, supplies, money, services or other thing of value, subject to the exceptions contained in Subpart D of the "tied house" regulations of the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department, 27 Code of Federal Regulations Part 6 (1988) as the same may change from time to time;

(5) Guaranteeing any loan or the repayment of any financial obligation of a retail licensee;

Exhibit B3- According to the Hawaii State Legislature, under H.B. 1622, (later Act 69) as stated by SCRep. 925 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on H.B. No. 1622, stated the following, "A consultant for Anheuser-Bush who served as Deputy Director for the federal Bureau of Alcohol, Tobacco, and Firearms, testified regarding the unlawful practice provisions of the Federal alcohol Administration Act of 1935 (FAA Act), referenced in section §281-42 (c). The consultant testified that the FAA Act outlawed monopolistic trade practices in the liquor industry and was consistent in **prohibiting wholesaler and manufacturer ownership of retail outlets**, but never prohibited manufacturers from owning wholesalers.

According to the Hawaii State Legislature's committee reports, testimony from a former TTB official that, §281-42 (c) was consistent in prohibiting wholesaler and manufacturer ownership of retail outlets, as in construing subsection (a), the courts and the liquor commission shall follow the rules, regulations, and decisions of the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department and the federal courts in interpreting section 5(b) of the Federal Alcohol Administration Act, as the same may be changed from time to time.

The applicant has indicated in their documents and statements which present issues that have not been rectified:

- §281-42 (1) Holding interest in retail licensee;
- §281-42 (2) any interest property owned, occupied, or used by retail licensee in conduct of business;
- §281-42 (3) Furnish, give, lend or selling to retail any money, services or other thing of value.
- §281-42 (5) Guaranteeing any loan or the repayment of any financial obligation of a retail licensee.

RESPONSE TO AUTHORIZED AGENT MIA OBCIANA'S STATEMENTS:

§ 6.32 Indirect interest.

Industry member interest in retail property includes any interest acquired by corporate officials, partners, employees or other representatives of the industry member. Any interest in retail property acquired by a separate corporation in which the industry member or its officials, hold ownership or are otherwise affiliated, is an interest in retail property.

§ 6.33 Proprietary interest.

(a) Complete ownership. Outright ownership of a retail business by an industry member is not an interest that may result in a violation of section 105(b)(2) of the Act.

(b) Partial ownership. Less than complete ownership of a retail business by an industry member constitutes an interest in retail property within the meaning of the Act.

§ 6.34 Mortgages.

The acquisition of a mortgage on a retailer's real or personal property by an industry member constitutes an interest in the retailer's property within the meaning of the Act.

§ 6.35 Renting display space.

The renting of display space by an industry member at a retail establishment constitutes an interest in the retailer's property within the meaning of the Act.

§ 6.41 General.

Subject to the exceptions listed in subpart D, the act by an industry member of furnishing, giving, renting, lending, or selling any equipment, fixtures, signs, supplies, money, services, or other things of value to a retailer constitutes a means to induce within the meaning of the Act.

§ 6.44 Free warehousing.

The furnishing of free warehousing by delaying delivery of distilled spirits, wine, or malt beverages beyond the time that payment for the product is received, or if a retailer is purchasing on credit, delaying final delivery of products beyond the close of the period of time for which credit is lawfully extended, is the furnishing of a service or thing of value within the meaning of the Act.

§ 6.61 Guaranteeing loans.

The act by an industry member of guaranteeing any loan or the repayment of any financial obligation of a retailer constitutes a means to induce within the meaning of the Act.

RESPONSE TO AUTHORIZED AGENT MIA OBCIANA'S STATEMENTS:

Title 27 Chapter I Alcohol and Tax and Trade Bureau, Department of the Treasury, Subchapter A- Alcohol Part 6- Tied House, Subpart E – Exclusion.

§6.151 Exclusion, in general. (a) Exclusion, in whole or in part occurs:

(1) When a practice by an industry member, whether direct, indirect, or through an affiliate, places (or has the potential to place) retailer independence at risk by means of a tie or link between the industry member and retailer or by any other means of industry member control over the retailer; and

(2) Such practice results in the retailer purchasing less than it would have of a competitor's product.

(b) Section 6.152 lists practices that create a tie or link that places retailer independence at risk. Section 6.153 lists the criteria used for determining whether other practices can put retailer independence at risk.

§6.152 Practices which put retailer independence at risk.

The practices specified in this section put retailer independence at risk. The practices specified here are examples and do not constitute a complete list of those practices that put retailer independence at risk.

(b) The act by an industry member of purchasing or renting display, shelf, storage or warehouse space (i.e. slotting allowance).

(c) Ownership by an industry member of less than a 100 percent interest in a retailer, where such ownership is used to influence the purchases of the retailer.

§ 6.153 Criteria for determining retailer independence.

The criteria specified in this section are indications that a particular practice, other than those in § 6.152, places retailer independence at risk. A practice need not meet all of the criteria specified in this section in order to place retailer independence at risk.

(a) The practice restricts or hampers the free economic choice of a retailer to decide which products to purchase or the quantity in which to purchase them for sale to consumers.

(b) The industry member obligates the retailer to participate in the promotion to obtain the industry member's product.

RESPONSE TO AUTHORIZED AGENT MIA OBCIANA'S STATEMENTS:

(c) The retailer has a continuing obligation to purchase or otherwise promote the industry member's product.

(d) The retailer has a commitment not to terminate its relationship with the industry member with respect to purchase of the industry member's products.

(e) The practice involves the industry member in the day-to-day operations of the retailer. For example, the industry member controls the retailer's decisions on which brand of products to purchase, the pricing of products, or the manner in which the products will be displayed on the retailer's premises.

(f) **The practice is discriminatory in that it is not offered to all retailers in the local market on the same terms without business reasons present to justify the difference in treatment.**

POTENTIAL FALSE STATEMENTS MADE TO THE COMMISSION:

Obciana's letter appears to have statements that were falsely made to the Commission on behalf of the applicant in part of this new application investigation:

1. **"Heather Lim does not have any ownership or hold any interest in and is not an agent or employee (as of the date of this letter) of, any entity that holds a retail license"**

Heather Lim is currently a registered manager for the following licensees: **Exhibit A5.**

- Yoda LLC, dba BBQ Chicken Hawaii,
Restaurant Beer & Wine, Category #1- Standard license
License #R1462. (Active)
Position: Manager effective 11/10/21 to 11/09/25
- J & J Investment Group LLC, dba Palama Express
Retail General License #D1232 (Active)
Position: Manager effective 11/10/21 to 11/09/25

POTENTIAL FALSE STATEMENTS MADE TO THE COMMISSION:

2. “Obciana’s memorandum stated, “Heather Lim does not have any ownership or hold any interest in and **is not an agent or employee (as of the date of this letter) of, any entity that holds a retail license. She is not and never has been an officer, director, or registered agent of Yoda LLC.**”
 - Heather Lim is currently authorized as an agent to act for or be the authorized representative of the licensee or applicant in Commission proceedings, for Yoda LLC. **Exhibits A2/A3/A4/A5.**
 - **Exhibit B1**- According to a document filed with the Commission, titled, “Commercial Space Lease”, of Yoda LLC, and Trustees of the Estate of Bernice Pauahi Bishop, **Heather Lim is named as a guarantor with Daniel Lim and Young Il Yoon, for the now current licensed liquor premises of Yoda LLC.**
3. According to a notarized Personal History Affidavit of Heather Lim, received by the Commission on December 14, 2021, Lim indicates under her Employment Record the last employer as J & D Investments LLC, as Marketing Director. No further employment was indicated.

However, according to **Exhibits A2/**, Lim was an authorized agent for Yoda LLC, effective as of **December 2, 2021.** Additionally, Lim was titled as “Supervisor”, see **Exhibit A3/A4.**

Heather Lim was also registered as a manager effective 11/10/21 to 11/09/25, for Yoda LLC, and J & J Investment Group LLC, (**Exhibit A5**) which was also omitted from the Employment Record on the Personal History Affidavit.

Personal History Affidavit of Heather Lim, see **Exhibit C1.**

Pursuant to Hawaii Revised Statutes §281-53 which states, If any false statement is knowingly made in any application which is verified by oath, the applicant, and in the case of the application being made by a...limited liability company...the persons signing the application, shall be guilty of perjury, and shall be subject to the penalties prescribed by law for such offense.

POTENTIAL FALSE STATEMENTS MADE TO THE COMMISSION:

There appears to be serious issues that were either not disclosed or omitted during the time of the initial investigation. As such, it is unknown if there are any other issues as it pertains to the applicant having undisclosed interests with any other retail licensees, pursuant to HRS §281-42.

The additional issues pursuant to HRS §281-1, §281-31, §281-53, United States Code, and the Code of Code of Federal Regulations, are as stated above.

Based on the facts and circumstances provided by the applicant's statements, documents, and representations, a wholesale license granted to the applicant may create an unlawful situation pursuant to HRS §281-42.

Additionally, it may also be in violation of Code of Federal Regulations, and United States Code.



DANIEL SATO
SUPERVISING INVESTIGATOR

REVIEWED BY:

anna hira 6/9/22

ANNA HIRAI

ACTING ADMINISTRATOR

applicant will need sufficient
time to respond; public
hearing is 6/9/22.

MIA D. OBCIANA
PARTNER
MOBCIANA@GRSM.COM

GORDON & REES
SCULLY MANSUKHANI
YOUR 50 STATE PARTNER™

ATTORNEYS AT LAW
707 RICHARD STREET, SUITE 625
HONOLULU, HI 96813
WWW.GRSM.COM

April 12, 2022

VIA EMAIL

Daniel Sato
Licensing Supervisor
Honolulu Liquor Commission
711 Kapiolani Boulevard, Suite 600
Honolulu, Hawai'i 96813

Re: Lani Spirits, LLC dba Lani Spirits LLC;
Application No. 22-23464

Dear Mr. Sato,

This letter is in response to the March 14, 2022, Licensing Investigative Report by Licensing Investigator Matthew Foster. Specifically, the section entitled "POSSIBLE ISSUES WITH NEW APPLICATION."

In said section, Investigator Foster mentioned that Ms. Lim's status as an employee of J&D Investments LLC dba Palama Supermarket is a potential violation of Haw. Rev. Stat. §281-42. This issue is easily resolved with Ms. Lim's immediate resignation from J&D Investments LLC.

Next, on page 6 of the Investigative Report, Investigator Foster claims Ms. Lim has ownership interest in the following entities: (1) Yoda LLC dba BBQ Chicken Hawai'i; (2) J&J Investment Group LLC dba Palama Express; (3) I&E Investment Inc. dba Palama Supermarket Waimalu; and (4) H&K Inc. dba Palama Supermarket. These assertions are false.

Mr. Foster's Investigative Report claims that Ms. Lim is the "current Authorized Agent" for Yoda LLC. As you can see in Exhibit A, attached, in the business information for Yoda LLC, the registered Agent is named Yong Il Yoon and not Ms. Lim.

The Investigative Report also claims Ms. Lim is the "Current Sole Member of J&J Investment Group LLC[.]" This is also false. As shown in Exhibit B, attached, the sole Manager of J&J Investment Group LLC is Daniel Lim.

The Investigative Report alleges Ms. Lim is the "Current Sole Officer of I&E Investment Inc." Again, this information is inaccurate. As stated in Exhibit C, attached, the only officer for

EXHIBIT A

April 12, 2022
Page 2

I&E Investment Inc is Daniel Lim. Heather Lim is not listed as an officer or director of this entity.

Investigator Foster also asserts that Ms. Lim is a "Current Officer[]" and Director[] of H&K Inc." The officers and directors for H&K Inc are Hyo Kyu Lim, Hae Joo Lim, and Daniel Lim. Heather Lim is not an officer, director, or registered agent for H&K Inc.

Heather Lim does not have any ownership or hold any interest in and is not an agent or employee (as of the date of this letter) of, any entity that holds a retail license. She is not an never has been an officer, director, or registered agent of Yoda LLC, J&J Investment Group LLC, I&E Investment Inc., or H&K Inc. The fact that Ms. Lim's husband is an officer or director of a number of the above entities should not preclude her from establishing a business of her own and obtaining a wholesale license.

Investigator Foster has also alluded to issues regarding federal regulations. However, when I contacted the Alcohol and Tobacco Tax and Trade Bureau ("TTB") and addressed these issues, I was informed that the TTB was not concerned and until and unless it received evidence there was a violation of federal regulations, it did not consider Ms. Lim's family relationship with Mr. Lim to raise any regulatory issues related to their respective businesses.

Ms. Lim and I look forward to addressing any of the Commission's concerns during the preliminary hearing on her application on April 14, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Mia D. Obciana", with a stylized flourish at the end.

Mia D. Obciana

Attachments

EXHIBIT A1

EXHIBIT A

EXHIBIT A1

DCCA State of Hawaii

Downloaded on April 12, 2022.

The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	YODA LLC
BUSINESS TYPE	Domestic Limited Liability Company (LLC)
FILE NUMBER	241355 C5
STATUS	Active
PLACE INCORPORATED	Hawaii UNITED STATES
REGISTRATION DATE	Aug 28, 2020
MAILING ADDRESS	725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES
PARTNER TERMS	AT-WILL
MANAGED BY	MEMBER(S)
AGENT NAME	YOUNG IL YOON
AGENT ADDRESS	725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2021	Sep 21, 2021	Processed

Officers

NAME	OFFICE	DATE
YOON,YOUNGIL	MEM	Aug 28, 2020
LIM,DANIEL	MEM	Aug 28, 2020

Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
BBQ CHICKEN HAWAII	Trade Name	NO CATEGORY SELECTED	Mar 1, 2021	Feb 28, 2026	Active

EXHIBIT B

EXHIBIT A

DCCA State of Hawaii

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The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	J&J INVESTMENT GROUP LLC
BUSINESS TYPE	Domestic Limited Liability Company (LLC)
FILE NUMBER	125894 C5
STATUS	Active
PURPOSE	RETAIL-GROCERY
PLACE INCORPORATED	Hawaii UNITED STATES
REGISTRATION DATE	Feb 2, 2015
MAILING ADDRESS	C/O JAY KANG CPA INC 725 KAPIOLANI BLVD #C-110 HONOLULU, Hawaii 96813 UNITED STATES
PARTNER TERMS	AT-WILL
MANAGED BY	MANAGER(S)
AGENT NAME	THOMAS KIM
AGENT ADDRESS	725 KAPIOLANI BLVD #C-110 HONOLULU, Hawaii 96813 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2022	Mar 31, 2022	Processed
2021	Feb 22, 2021	Processed
2020	Mar 23, 2020	Processed
2019	Jan 24, 2019	Processed
2018	Jan 9, 2018	Processed
2017	Mar 13, 2017	Processed
2016	Jun 2, 2016	Processed

Officers

NAME	OFFICE	DATE
LIM,DANIEL	MGR	Feb 2, 2015

Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
PALAMA EXPRESS	Trade Name	NO CATEGORY SELECTED	Sep 14, 2015	Sep 13, 2025	Active

EXHIBIT A\

EXHIBIT C

EXHIBIT A1

DCCA State of Hawaii

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Website URL: <http://hbe.hawaii.gov/documents>

Business Information

MASTER NAME	I & E INVESTMENT, INC.
BUSINESS TYPE	Domestic Profit Corporation
FILE NUMBER	228295 D1
STATUS	Active
PURPOSE	RETAIL - SUPERMARKET
PLACE INCORPORATED	Hawaii UNITED STATES
INCORPORATION DATE	Jan 14, 2010
MAILING ADDRESS	C/O JAY KANG CPA INC 725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES
TERM	PER
AGENT NAME	DANIEL LIM
AGENT ADDRESS	1670 MAKALOA ST HONOLULU, Hawaii 96814 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2022	Mar 31, 2022	Processed
2021	Feb 22, 2021	Processed
2020	Mar 23, 2020	Processed
2019	Jan 24, 2019	Processed
2018	Jan 9, 2018	Processed
2017	Mar 13, 2017	Processed
2016	Mar 18, 2016	Processed
2015	Mar 30, 2015	Processed
2014	Mar 27, 2014	Processed
2013	Apr 15, 2013	Processed
2012	Feb 27, 2012	Processed
2011	Feb 17, 2012	Processed

Officers

NAME	OFFICE	DATE
LIM,DANIEL	P/V/T/S/D	Jan 1, 2022

Stocks

DATE	CLASS	SHARES	PAID SHARES	PAR VALUE	STOCK AMOUNT
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EXHIBIT A1

Jan 1, 2011	COMMON	1,000	1,000
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Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
PALAMA SUPERMARKET WAIMALU	Trade Name	NO CATEGORY SELECTED	May 6, 2019	May 5, 2024	Active
PALAMA SUPERMARKET WAIMALU	Trade Name	NO CATEGORY SELECTED	Mar 22, 2010	Mar 21, 2015	Expired

EXHIBIT D

EXHIBIT A1

DCCA State of Hawaii

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The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	H & K, INC.
BUSINESS TYPE	Domestic Profit Corporation
FILE NUMBER	34085 D1
STATUS	Active
PURPOSE	RETAIL/WHOLESALE - GROCERY/LIQUOR
PLACE INCORPORATED	Hawaii UNITED STATES
INCORPORATION DATE	Aug 10, 1977
MAILING ADDRESS	C/O JAY KANG CPA INC 725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES
TERM	PER
AGENT NAME	DANIEL LIM
AGENT ADDRESS	1670 MAKALOA ST HONOLULU, Hawaii 96814 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2021	Aug 12, 2021	Processed
2020	Aug 17, 2020	Processed
2019	Sep 6, 2019	Processed
2018	Aug 30, 2018	Processed
2017	Sep 20, 2017	Processed
2016	Aug 17, 2016	Processed
2015	Aug 20, 2015	Processed
2014	Sep 25, 2014	Processed
2013	Dec 5, 2013	Processed
2012	Sep 12, 2012	Processed
2011	Sep 8, 2011	Processed
2010	Aug 3, 2010	Processed
2009	Sep 9, 2009	Processed
2008	Oct 6, 2008	Processed
2007	Jul 27, 2007	Processed
2006	Sep 7, 2006	Processed
2005	Sep 12, 2005	Processed
2004	Sep 14, 2004	Processed
2003	Sep 15, 2003	Processed
2002		Not Required
2001		Processed
2000		Processed
1999		Processed

EXHIBIT A1

Officers

NAME	OFFICE	DATE
LIM,HYO KYU	P/D	Jul 1, 2013
LIM,HAE JOO	V/S/T/D	Jul 1, 2021
LIM,DANIEL	V	Jul 1, 2003

Stocks

DATE	CLASS	SHARES	PAID SHARES	PAR VALUE	STOCK AMOUNT
Dec 31, 1989	COMMON	1,000	1,000	10.	10,000.

Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
PALAMA SUPERMARKET	Trade Name	NO CATEGORY SELECTED	May 6, 2019	May 5, 2024	Active
PALAMA SUPERMARKET	Trade Name	NO CATEGORY SELECTED	Mar 22, 2010	Mar 21, 2015	Expired

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
 INTERNET ADDRESS: www.honolulu.gov/lq

NOTIFICATION OF AUTHORIZED AGENT

Rule 3-81-19.3

Effective Date: 12/2/2021 Maximum representation is one (1) year.

If less than one (1) year, enter the end date: _____

Authorized Agent Name: Heather Lim Title: Supervisor
 Company Name: Yoda LLC dba bbq chicken Hawaii
 Mailing Address: 4210 Waiālae Avenue #203
 Bus. #: 808-888-3532 Mobile #: [REDACTED] Email: [REDACTED]

LCIS Access (Optional)

Choose an LCIS Username (Must be between 8 – 32 characters long, one character per box):

All Licensees/Licenses may be linked to one (1) LCIS Username. One (1) LCIS User Account per email address.

[REDACTED] 12/2/2021
 SIGNATURE Authorized Agent Date
Heather Lim
 PRINT Authorized Agent

License Number(s) for existing licensees: R1462

Licensee/Applicant: Yoda LLC

Licensee/Applicant Contact Name: Daniel Lim Title: Owner
 Bus. #: 808-888-3532 Mobile #: [REDACTED] Email: [REDACTED]

Licensee/Applicant certifies that the above named authorized agent may act on their behalf before the Honolulu Liquor Commission. Representation is limited to one (1) year, and must be renewed annually.

[REDACTED] 12/2/2021
 SIGNATURE Licensee (Owner) Date
Daniel Lim
 PRINT Licensee (Owner)

For HLC Office Use Only

LCIS ENTRY DATE: 12/3/21 HLC STAFF INITIAL: [REDACTED]

**LIQUOR COMMISSION
 CITY AND COUNTY OF HONOLULU**
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
 INTERNET ADDRESS: www.honolulu.gov/lic

**REQUEST FOR EMPLOYMENT OF A MINOR
 (16 YEARS – 17 YEARS OF AGE)**

HRS 281-78(b)(4); Rule 3-86-101.53(b)

Minors must be at least 16 years of age and cannot sell or handle liquor.

- Submit all five (5) documents listed below.
- The Licensee (employer) will receive notification from the Liquor Commission once the application is accepted.
- It is the Licensee's responsibility to notify the minor if the request is approved, and to ensure that the minor is properly registered with the Liquor Commission.
- A Certificate of Registration (Liquor ID card) is not issued for Restaurant class licensees.

License #: R1462

Licensee Name: Yoda LLC

DBA Name: bbq Chicken Hawaii

Mailing Address: 4210 Waiialae Avenue #203 Honolulu HI 96816

Minor's Legal Name: [REDACTED]

Birthdate: [REDACTED] Age: [REDACTED]

Minor's Phone #: [REDACTED]

Minor's Email: [REDACTED]

Employment Position: Cashier

Work Hours & Days: Saturdays 4.5hours/week

Name/Title of Hiring Manager: Heather Lim

Phone #: [REDACTED]

Email: [REDACTED]

The following must be included with this request:

- ☒ A copy of a current valid minor's government issued photo identification (ID) card – only the following will be accepted: Driver's License, State ID, Passport or Military ID indicating birthdate.
- ☒ A copy of Hawaii Certificate of Age, Wage and Standards card issued by the State of Hawaii Department of Labor & Industrial Relations-Wage Standards Division-Child Labor.
- ☒ An original signed and dated letter of consent, from a parent or guardian, permitting the minor to work, and the contact information (name, phone numbers and e-mail) of the parent or guardian.
- ☒ An original signed and dated letter of academic standing on the school's letterhead from a school official attesting to the satisfactory academic grade standing of the minor, and the school official's contact information (phone numbers and e-mail) or a copy of the graduation certificate (diploma).
- ☒ An original signed and dated letter printed on business/company letterhead from an officer or authorized representative of the licensee requesting approval for minor employment. Letter must state the exact position the minor will be holding, the minor's proposed work schedule, and the employer's contact information (name, title, phone numbers and email).

SIGNATURE Licensee/Authorized Agent

Heather Lim

PRINT Licensee/Authorized Agent

12/2/2021

DATE

Supervisor

TITLE

For HLC Office Use Only

Interviews by Investigator: Initial & Date when completed

12/2/21 Licensee

12/2/21 Minor's Parent/Guardian

12/2/21 Minor

Investigator's Report/Opinion: Respective parties contacted via telephone and apprised of liquor laws of C&C of Honolulu as it relates to juveniles. Employer to provide training to employee. Applicant has met the requirements for filing of this application.

INVESTIGATOR'S Report Generated/Interviewed by: [REDACTED]

Date: 12/22/21

Reviewed by SUPERVISING INVESTIGATOR: [REDACTED]

Date: 12/22/21

ADMINISTRATOR Approved Denied: [REDACTED]

Date: 12/23/21

LCIS Entry - HLC STAFF Initial: [REDACTED]

Date: 12/24/21



Yoda LLC. dba bb.q Chicken Hawaii
4210 Waialae Avenue Suite 203 Honolulu HI 96816
(808)888-3532
www.bbqChickenHawaii.com

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2021 DEC 20 1 P 2:02

December 2, 2021

Liquor Commission
City and County of Honolulu
711 Kapiolani Blvd. Suite 600
Honolulu, HI 96813-5249
(808)768-7300 hlc@honolulu.gov

Re: request for the approval for minor employment

We would like to request for the approval for minor employment for the individual listed below.

- Name [REDACTED]
- Position: Cashier (taking orders from customers, assist customers to pick up orders at the counter)
- Work Schedule: Saturdays 10:30pm-3pm (4.5hours/week)

Please contact me at (808) 249-0500 or [REDACTED] if you have any questions or concerns.

Regards,

[REDACTED]

Heather Lim

EXHIBIT A4

EMPLOYEE, EMPLOYMENT, LICENSE DATA

SSN: [REDACTED] REG DATE: 11/10/2021

NAME: LIM, HEATHER

ADDRESS: [REDACTED]

CITY: [REDACTED]

STATE: [REDACTED]

ZIPCODE: [REDACTED]

AKA NAME:

MAIDEN NAME:

BIRTHDATE: [REDACTED]

BIRTH PLACE:

SEX: F

ETHNICITY:

U.S. CITIZEN: Y

COUNTRY:

ALIEN:

ALIEN EXP DATE:

TB TEST DATE: [REDACTED]

SERVER TRAINING: 11/10/2021

<u>LIC NUM</u>	<u>TRADE NAME</u>	<u>POSITION</u>	<u>EFF DATE</u>	<u>EXP DATE</u>	<u>TERM DATE</u>
R1462	BBQ CHICKEN HAWAII	03	11/10/2021	11/09/2025	
D1232	PALAMA EXPRESS	03	11/10/2021	11/09/2025	

COMMENTS:

Records printed:

2

EXHIBIT A5

COMMERCIAL SPACE LEASE

THIS COMMERCIAL SPACE LEASE (this "***Lease***") is executed as of 1/20/2021, 2021 (the "***Effective Date***"), between TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP ("***Landlord***") and YODA LLC, a Hawaii limited liability company ("***Tenant***").

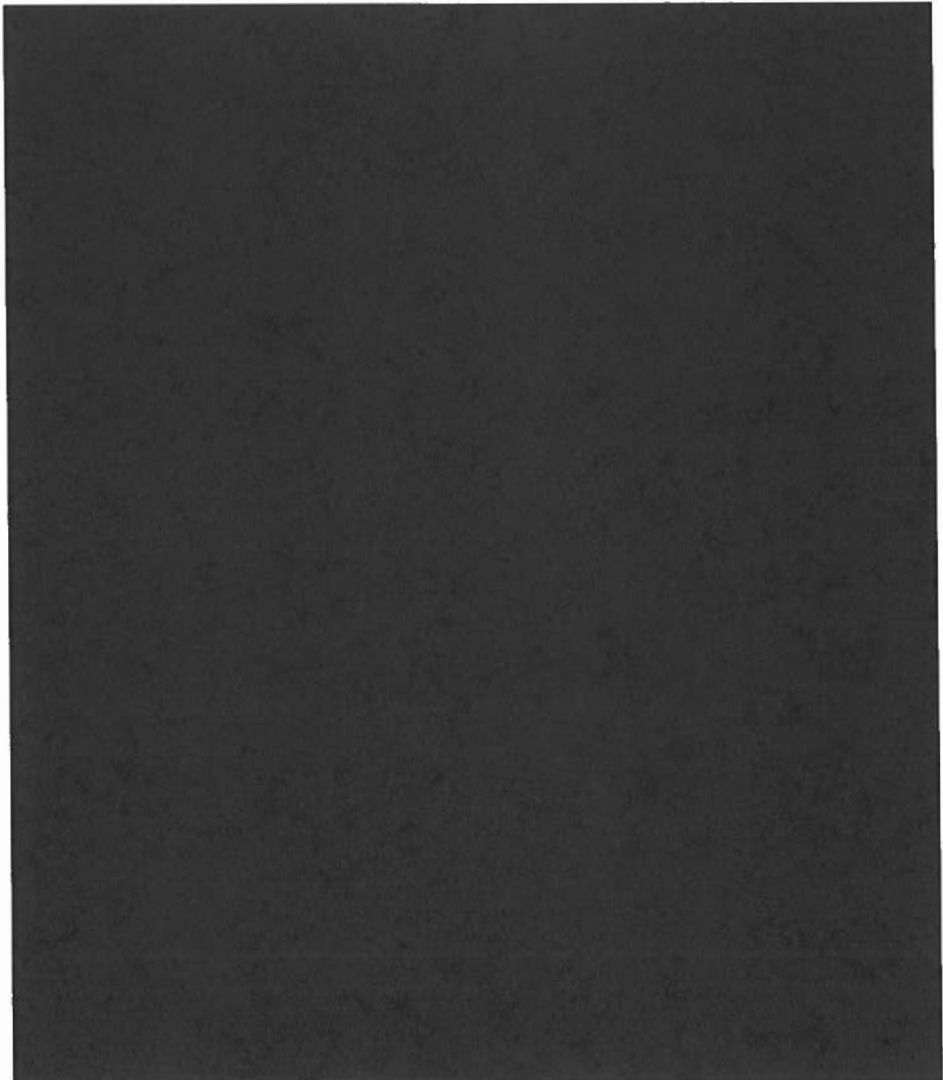
1. Basic Provisions. The following basic provisions and defined terms apply to this Lease:

Premises:

Space No. B-3, approximately 1,200 square feet, as shown on **Exhibit A**, having an address of 4210-4230 Waialae Avenue, Honolulu, Hawai'i 96816 and located within the building identified as Building "B" (the "***Building***") that is operated as part of a common project known as "Kū'ono Marketplace at Kāhala" (the "***Project***").

Commencement Date:

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2021 JUN 23 P 3:16



Starting on the Base Government Date and ending (4) 1/1/1999



EXHIBIT B1

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2021 JUN 23 P 3:16

Addresses for Notice:

Landlord:

Trustees of the Estate of Bernice Pauahi Bishop
Attention: Commercial Asset Manager
Suite 200, Kawaiaha'o Plaza
567 South King Street
Honolulu, Hawai'i 96813

with a copy to:

MMI Realty Services, Inc.
4211 Waialae Avenue #44
Honolulu, Hawaii 96816

Tenant:

Yoda LLC
725 Kapiolani Blvd. #C110
Honolulu, Hawai'i 96813

**Tenant's Agent for
Service of Process in
Hawai'i:**

Not applicable

Brokers:

Landlord's Broker: Colliers International HI, LLC, subject to change in Landlord's
sole and absolute discretion

Tenant's Broker: Cushman & Wakefield | ChaneyBrooks

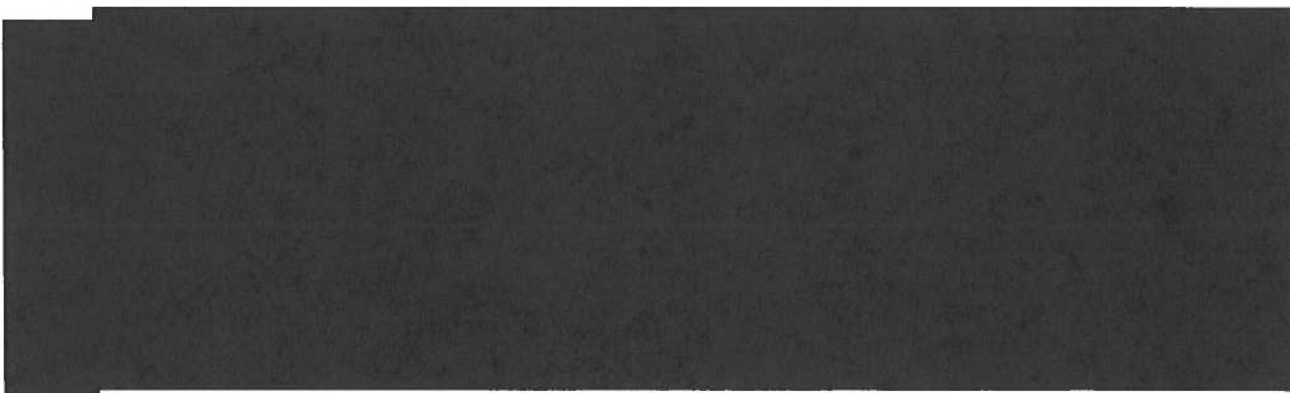
Exhibits:

Each of the following Exhibit(s) are incorporated into this Lease:


- A – Location of Premises
- A-1-Preliminary Site Plan
- B – Work Letter
- C – Special Conditions Rider
- D – Retail Rider
- E – Guaranty
- F – Rules and Regulations
- G - Prohibited Business
- H - Approved Menu
- I – Pick-up Stalls

2. **Lease of Premises.** Subject to the terms and conditions of this Lease, Landlord leases to Tenant, and Tenant leases from Landlord, the Premises for the Term.

3. **Delivery and Acceptance of Possession.**




TRUSTEES OF THE ESTATE OF BERNICE PAUHI BISHOP


By: 
Jeff Mau
Director, Asset Management

By: 
Name: Eric Ogata
Title: Senior Asset Manager

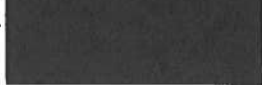
"Landlord"

YODA LLC,
a Hawaii limited liability company

By: 
Name: Daniel Lim
Title: Member

By: 
Name: Young H Yoon
Title: Member

"Tenant"

Federal Tax Identification No.: 
Hawai'i General Excise Tax No. 

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2021 JUN 23 P 3:17

GUARANTY

As an inducement to the TRUSTEES OF THE ESTATE OF BERNICE PAUAAHI BISHOP to execute that certain Commercial Space Lease (inclusive of all Exhibits and Addenda attached to that certain Commercial Space Lease) (collectively, the "**Lease**") between Landlord and **YODA LLC** dated 1/20/2021, 20__, covering the premises of approximately 1,200 square feet, located at 4210-4230 Waialae Avenue, Honolulu, Hawai'i, the undersigned (individually and collectively, "**Guarantor**") under this Guaranty (this "**Guaranty**") covenants and agrees to and with Landlord as follows:

A. BACKGROUND:

1. This Guaranty pertains to the following lease transaction:

Landlord: Trustees of the Estate of Bernice Pauahi Bishop

Tenant: **Yoda LLC**, a Hawaii limited liability company

Lease: Commercial Space Lease (inclusive of all Exhibits and Addenda attached to the Commercial Lease) dated 1/20/2021, 20__.

Premises: Space B-3, consisting of approximately 1,200 square feet situated at 4210-4230 Waialae Avenue, Honolulu, Hawai'i, within a portion of the project known as "Kū'ono Marketplace at Kāhala".

2. Guarantor:

(a) Name: DANIEL LIM
Alias Name: None
Spouse Name: Heather Lim

Address:

Phone:

(b) Name: HEATHER LIM
Alias Name: None
Spouse Name: Daniel Lim

Address:

Phone:

(c) Name: YOUNG IL YOON
Alias Name: None
Spouse Name: None

Address:

Phone:

3. Guarantor's Relationship to Tenant (described generally):

- (a) Member.
- (b) Member.
- (c) Member.
- 4. Guarantor's Authorized Agent in the State of Hawai'i to receive service of process (applicable only if Guarantor is an out-of-state or foreign individual or corporation—see Section B.12 below): Not applicable.
- 5. This Guaranty is an essential inducement to Landlord to issue the Lease to Tenant.

B. TERMS OF GUARANTY:

1. Guaranteed Obligations. The Guarantor unconditionally and irrevocably guarantees to Landlord that:

- (a) Tenant will duly and punctually pay all Base Rent, Additional Rent and all other sums due from Tenant under the Lease, including, without limitation, collection costs, attorneys' fees and all other sums to be paid by Tenant under the Lease;
- (b) Tenant will duly and punctually observe and perform every other agreement, covenant and condition on its part to be observed or performed under the Lease; and
- (c) Guarantor will pay to Landlord, upon demand, all of Landlord's costs and expenses, including reasonable attorneys' fees, incurred in connection with any negotiations or workout involving Tenant's obligations under the Lease or Guarantor's obligations under this Guaranty, or in any collection efforts affecting Guarantor, or in the enforcement of this Guaranty.

2. Direct and Primary Liability of Guarantor to Landlord. The liability of Guarantor to Landlord under this Guaranty is direct and primary, and is independent of any secondary liability Guarantor may have by virtue of its status as a general partner, officer or stockholder of Tenant (to the extent applicable), and any married person who signs this Guaranty expressly agrees that recourse may be had against such person's separate property for all such person's obligations under this Guaranty. Accordingly, this Guaranty may be enforced by Landlord regardless of (a) any defense or setoff or counterclaim which Tenant may have or assert against Landlord, (b) whether or not Landlord has instituted any suit, action or proceeding, or exhausted its remedies against Tenant, or exhausted the assets of Tenant, or taken any steps to enforce any rights against any other person to compel any such performance or to collect all or part of such amount, or (c) whether Landlord has obtained any judgment against Tenant for the amounts owed by Tenant to Landlord under the Lease. This Guaranty shall terminate only on (i) full and final payment of all amounts due under the Lease, (ii) the performance of all of the terms, covenants and conditions under the Lease required to be kept, observed or performed by Tenant, and (iii) the performance of all of the terms, covenants and conditions in this Guaranty required to be kept, observed or performed by Guarantor.

3. Joint and Several Liability; Counterparts. If the Guaranty is executed by two or more persons, then the obligation of each person executing this Guaranty shall be joint and several. This Guaranty may be executed in two or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument, and in making proof of this Guaranty, it shall not be necessary to produce or account for more than one such counterpart.

4. Waiver. Guarantor unconditionally:

(a) waives any requirement that Landlord, in the event of any default by Tenant, first make demand upon, or seek to enforce remedies against, Tenant or any security before demanding payment under or seeking to enforce this Guaranty;

(b) covenants that this Guaranty will not be discharged except by complete performance by Tenant of the obligations contained in the Lease;

(c) agrees that this Guaranty shall remain in full force and effect without regard to, and shall not be affected or impaired by, without limitation, any invalidity, irregularity or unenforceability in whole or in part of any of the provisions of the Lease or any limitation on the liability of Tenant under the Lease; and

(d) forever waives any rights of appraisal with regard to the value of any collateral which Landlord may apply as a credit to the obligations of Tenant, through foreclosure or otherwise, and agrees that the determination by an independent appraiser appointed by Landlord of the value of such collateral shall be binding upon Guarantor for all purposes.

Guarantor acknowledges its responsibility for verifying from Landlord from time to time the delinquent or non-delinquent status of Tenant's account. To the extent applicable, Guarantor unconditionally waives the requirements of presentment, notice of dishonor and protest, and Guarantor unconditionally waives all statutory or common law suretyship defenses now or hereafter or otherwise available.

5. No Release. The obligation of Guarantor under this Guaranty shall not be released, affected, stayed or impaired, without the written consent of Landlord, by:

(a) any assignment of the Lease, although made without notice to, or without consent of, any guarantor of the Lease; or

(b) any waiver by Landlord of the performance or observance by Tenant of any of the agreements, covenants, terms or conditions contained in the Lease; or

(c) any extension of the time for payment of any amounts payable under or in connection with the Lease or the time of performance by Tenant or any guarantor of the Lease, of any obligations under or arising out of the Lease, or an extension or renewal of the Lease; or

(d) the modification or amendment (whether material or otherwise) of any duty, agreement or obligation of Tenant set forth in the Lease, including any agreements involving a workout of Tenant's financial obligations to Landlord under the Lease; or

(e) the voluntary or involuntary liquidation, sale or other disposition of all or substantially all of the assets of Tenant or any other guarantor of the Lease; or

(f) any receivership, insolvency, bankruptcy, reorganization, dissolution or other similar proceedings affecting Tenant or any guarantor of the Lease or any of their assets; or

(g) the release of any property from any lien or security interest created by the Lease or the acceptance of additional or substitute property as security under the Lease; or

(h) the release or discharge of Tenant from the observance or performance of any agreement, covenant, term or condition contained in the Lease; or

(i) any action which Landlord may take or omit to take by virtue of the Lease or through any course of dealing with Tenant; or

(j) the addition of a new guarantor or the release of any guarantor of the Lease; or

(k) the operation of law or any other cause, whether similar or dissimilar to the foregoing.

6. Preferential Payment. To the extent Tenant or Guarantor makes any payment to Landlord in connection with the Lease obligations, and all or any part of such payment is subsequently invalidated, declared to be fraudulent or preferential, set aside or required to be repaid by Landlord or paid over to a trustee, receiver or any other entity, whether under any bankruptcy act or otherwise (any such payment is referred to in this Guaranty as a "**Preferential Payment**"), then this Guaranty shall continue to be effective or shall be reinstated, as the case may be, and, to the extent of such payment or repayment by Landlord, Guarantor's obligations or part of Guarantor's obligations intended to be satisfied by such Preferential Payment shall be revived and continued in full force and effect as if said Preferential Payment had not been made.

7. Subrogation. If Guarantor shall be required to make any payments on account of the Lease, then, from and after the payment in full of the Rent and any other sums to be paid under the Lease and the termination of the Lease and the discharge of all obligations to be performed under the Lease (including, without limitation, all of Tenant's indemnity obligations that survive the termination of the Lease), Guarantor shall be subrogated to the rights of Landlord against Tenant. Until such payment in full and such other performance, termination, and discharge, Guarantor waives any rights it may have to insist that Landlord enforce any of its remedies under the Lease and any rights Guarantor may have to participate in any security for the repayment of Tenant's obligations under the Lease. Notwithstanding the foregoing, prior to the termination of the Lease, Guarantor shall be subrogated to the right of Landlord against Tenant for payments made by Guarantor under this Guaranty only if the following conditions are satisfied at the time of such subrogation (a) there is no uncured Event of Default under the Lease, (b) Guarantor confirms in writing that Guarantor is not released from this Guaranty, and (c) Guarantor obtains Landlord's written consent to such subrogation, which consent may be withheld by Landlord if Landlord's rights and remedies against Tenant under the Lease are compromised by such subrogation.

8. Lease Document/Tenant Information. Guarantor acknowledges that Guarantor has received a copy of the Lease. Guarantor assumes full responsibility for keeping fully informed of the financial condition of Tenant and all other circumstances affecting Tenant's obligations to Landlord or Tenant's ability to perform its obligations to Landlord on a continuing basis. Guarantor agrees that Landlord has no duty to report to Guarantor any information which Landlord receives about Tenant's financial condition, Tenant's incurring of indebtedness, or any circumstances bearing on Tenant's ability to perform Tenant's obligations to Landlord, now or in the future.

9. Amendment. The terms of this Guaranty may not be modified or amended, except by a written agreement executed by Guarantor with the written consent of Landlord.

10. Notices. Any notices or demand to be given or served on the Guaranty shall be in writing and personally delivered, or sent by registered or certified mail addressed to Guarantor at the address provided above. Guarantor may change its address from time to time by delivering to Landlord written

notice of any change of address. Service of any notice or demand shall be deemed complete on the date of actual delivery or the expiration of the second day after the date of mailing, whichever is earlier.

11. Submission to Jurisdiction. If Guarantor is not a resident of the State of Hawai'i, Guarantor irrevocably submits, for purposes of any action or proceeding which Landlord may bring to enforce this Guaranty, to the jurisdiction of the courts of the State of Hawai'i and the Federal District Court for the District of Hawai'i. Any action that Guarantor may initiate against Landlord must be brought in the courts of the State of Hawai'i or the United States District Court for the District of Hawai'i. Notwithstanding the foregoing, however, this provision shall not preclude Landlord from commencing any action against Guarantor in any other jurisdiction, and any other such action so initiated by Landlord shall, at the option of Landlord, be conducted and pursued in such other jurisdiction or, upon application by Landlord, be removed to any court in the State of Hawai'i, subject to the discretion of the court in which such action was initially filed to the extent provided by applicable law or rule of court.

12. Agent to Receive Service of Process for Out-of-State Persons. If Guarantor is an out-of-state or foreign corporation, Guarantor irrevocably appoints the person identified in Section A. above as its individual agent to receive service of process for any legal action brought by Landlord in the State of Hawai'i.

13. Waiver of Jury Trial. Landlord and Guarantor each voluntarily and knowingly waive and relinquish their right to a trial by jury in any action, proceeding or counterclaim brought by either against the other or in connection with any matter whatsoever arising out of or in any way connected with this Guaranty, the relationship of Landlord with Guarantor, or Guarantor's rights and obligations under this Guaranty or the enforcement of this Guaranty.

14. Binding Force. This Guaranty shall be binding upon Guarantor and its heirs, personal representatives, successors and permitted assigns, and it shall inure to the benefit of and shall be enforceable by Landlord and its successors and assigns from time to time. Landlord may assign this Guaranty, in whole or in part, without notice, in connection with any transfer by Landlord of its interest in the Lease.

15. Governing Law. This Guaranty shall for all purposes be construed in accordance with the laws of the State of Hawai'i, without giving effect to any principles of conflicts of laws that would otherwise require the application of the laws of any other jurisdiction.

16. Defined Terms. Capitalized terms used in this Guaranty that are not otherwise defined shall have the meanings set forth in the Lease. The use of the singular shall include the plural, and the use of the neuter shall include the masculine and feminine, as the case may be.

This Guaranty has been executed as of 1/15/2021, 20 .

DocuSigned by:
[Redacted Signature]
C58650910104DB
DANIEL LIAW DocuSigned by:
[Redacted Signature]
HEATHER SHIM, [Redacted Signature] A57E0C4FA
[Redacted Signature]
YOUNG IL YOON 8104F06E27417

Guarantor

LEASE

THIS LEASE is made as of June 1, 2020, by and between **H & K, INC.**, a Hawaii corporation, ("**Landlord**"), whose Hawaii business address is 1670 Makaloa Street, Honolulu, Hawaii 96814 and **LANI SPIRITS LLC**, a Hawaii limited liability company ("**Tenant**"), whose mailing address is 1070 North King Street, #208, Honolulu, Hawaii 96817.

WITNESSETH:

Landlord hereby leases to Tenant, and Tenant hereby leases from Landlord, the Premises described in Subsection 1.01(a) and identified as Unit #208 on Exhibit A attached hereto, located within the building located at 1070 North King Street, Honolulu, Hawaii 96817 ("Building"), for the Term and subject to and in consideration of the terms, duties, obligations, covenants, conditions, rules and regulations, and special conditions set forth in this Lease.

ARTICLE 1 SPECIFIC PROVISIONS AND EXHIBITS

1.01. Specific Provisions. The following constitute specific provisions of this Lease:

(a) Premises: Unit #208 as shown on Exhibit A with an approximate Net Rentable Area of 600 square feet; and 1 parking space designated as space (if blank parking space is unassigned). The purpose of the site plan attached as Exhibit A is to show the approximate location of Tenant's Premises in the Building, and Landlord makes no representations or warranties of any kind or nature as to the size or location of any of the structures or that the Building will continue to be as depicted on said site plan.

(b) Term: FIVE (5) YEARS from the Commencement Date. The date that Landlord delivers possession of the Premises to Tenant ("**Commencement Date**") or if Tenant is in possession of the Premises the Commencement Date for the purposes of this Lease shall be

(c) Gross Monthly Rent:

PERIOD	BASE RENT RATE	INITIAL OPERATING EXPENSES RATE (CAM)	GROSS MONTHLY RENT
Commencement Date through	\$ <u> </u>	<u> </u>	<u> </u>

EXHIBIT 

		To be adjusted annually as provided herein.	TOTAL: [REDACTED]
--	--	---	-------------------

(d) Security Deposit: [REDACTED] which constitutes one 1 month Gross Monthly Rent (subject to increase as provided in Subsection 3.10 (b)).

(e) Use: The Premises shall be used by the Tenant solely for the following purposes and for no other purpose: Liquor storage and wholesale distribution. In no event may Tenant use any portion of the Premises for the following purposes: (i) for the sale or rental of obscene materials; (ii) hostess clubs, exotic dancing or gaming; or (iii) any use that more than raises the risk the Building would be contaminated by Hazardous Materials.

(f) Guarantor(s): NA

(g) Special Conditions:

1.02. Exhibits.

Exhibit A: Site Plan for Building
Exhibit B: [Reserved]
Exhibit C: Rules and Regulations
Exhibit B: Personal Guaranty

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

ARTICLE 2
DEFINITIONS

Unless the context otherwise specifies or requires, the following terms shall have the meanings hereinafter specified:

2.01. "Additional Rent" shall mean all sums payable by Tenant to Landlord under this Lease other than Gross Monthly Rent and whether or not designated in this Lease as additional rent.

2.02. "Building" shall mean the property located at 845 Queen Street, Honolulu, Hawaii, 96913 and the improvements thereon which include the Premises, and which is depicted generally on Exhibit A.

2.03. "Collateral" shall have the meaning assigned thereto in Section 15.04.

2.04. "Commencement Date" shall have the meaning assigned thereto in Subsection 1.01(b).

2.05. "Common Area" shall mean those portions of the Building free from any lease to any tenant and designated by Landlord from time to time for the nonexclusive use of Tenant, in common with other authorized users, or used for the general benefit or operation of the Building, subject to such rules and regulations as Landlord may promulgate, including, but not be limited to, service areas, driveways, and areas of ingress and egress used in connection with and for the convenience and use of the Common Area or for the tenants of the Building, malls (open or closed), sidewalks and other pedestrian ways, areas containing buildings or structures used in connection with operation or maintenance of said Common Area together with the buildings and structures thereon, public restrooms and other common facilities from time to time provided for the convenience and common use of more than one tenant of the Building, landscaped areas, planted areas together with plants and planting thereon, and areas containing gates, signs, directories, pylons or structures defining the locations of or the direction to various areas or tenants or advertising the common name for the Building, together with the gates, signs, directories, pylons or structures constructed thereon. Common Area shall exclude exterior surfaces of tenants' premises modified by tenants and any areas reserved for the exclusive use of a single tenant.

2.06. "Condemnation" shall have the meaning assigned thereto in Section 14.01.

2.07. "Consultant" shall have the meaning assigned thereto in Subsection 18.02(d).

2.08. "Evidence of Insurance" shall have the meaning assigned thereto in Section 12.02.

2.09. "Gross Monthly Rent" shall mean the rent specified in Subsection 1.01(c), subject to adjustments for Operating Expenses.

2.10. "Guarantor" shall have the meaning assigned thereto in Subsection 1.01(j) and Exhibit D.

2.11. "Hazardous Materials" shall have the meaning assigned thereto in Subsection 18.01(b).

2.12. "Hazardous Materials Claims" shall have the meaning assigned thereto in Subsection 18.01(d).

2.13. "Hazardous Materials Discharge" shall have the meaning assigned thereto in Subsection 18.01(c).

2.14. "Hazardous Materials Laws" shall have the meaning assigned thereto in Subsection 18.01(a).

2.15. "HW/AC" shall have the meaning assigned thereto in Section 4.10.

2.16. "Improvements" shall mean all improvements existing on the Commencement Date or at any time thereafter built, installed or furnished by anyone in or on the Premises, including, without limitation, all interior walls and partitions which are not load-bearing; the interior decorated or finished surfaces of all perimeter and load-bearing walls and floors; all ceilings and ceiling light fixtures; all interior (but not exterior) windows; all interior (but not exterior) doors; mechanical and electrical conduits; wiring fixtures and equipment; all floor tile, carpeting and wall coverings; all ceiling sprinkler systems, air-conditioning equipment, other fixtures of all kinds; and water, electric, telephone and other utility lines, ducts, conduits and facilities within and serving the Premises.

2.17. "Landlord's Agents" shall have the meaning assigned thereto in Section 11.01.

2.18. "Laws" shall mean each and every statute, regulation, rule or ordinance or other legal requirement of any governmental authority having jurisdiction over the Building or any improvements thereon or any business conducted thereat.


2.19. "Lease Month" shall mean a full calendar month. The number of Lease Months comprising the Term is twelve (12) months. The first Lease Month shall begin on the Commencement Date if such date is the first day of the calendar month. If the Commencement Date does not fall on the first day of a calendar month, the first Lease Month shall begin on the first day of the calendar month immediately following the

Commencement Date. Tenant shall be liable for performance of all obligations of Tenant under this Lease from the Commencement Date.

2.20. "Operating Expenses" shall mean all expenses which shall be incurred, accrued or paid by Landlord due to the ownership, operation, management, maintenance, replacement or repair of the Building. Without in any way limiting the generality of the foregoing, such expenses shall include the cost and expense of the following: (i) maintenance and repairs of the Common Area; (ii) maintenance and repair of all public or common facilities and installations such as public toilets, music program equipment and loudspeakers, customer accommodation facilities and similar installations; (iii) maintenance, repair and replacement of sidewalks, curbs, paving, driveways, walkways, roofs and roof membranes, Building signs, canopies, landscaping, planting and irrigation systems, gutters, trash facilities, loading and delivery areas, directional or other signs, railings, markers and bumpers and, to the extent not limited to the use of a single tenant, elevators and stairways; (iv) utilities for common areas including electricity, water, sewer, drainage, common utility facilities and shared utility items, (v) wages, salaries, benefits, payroll burden fees and charges of personnel employed by Landlord and the charges of all independent contractors retained by Landlord for the maintenance, repair, management and/or supervision of the Building, and of security personnel retained by Landlord in connection with the operation and maintenance of the Common Area (although Landlord shall not be required to obtain security or other monitoring services); (vi) fees paid to any third party manager(s); (vii) maintenance and repair of security systems and alarms; (viii) depreciation or amortization (or in lieu thereof, rental payments) on all tools, equipment and machinery used in the operation and maintenance of the Building (ix) all taxes, assessments and other charges by governmental authorities, present or future, excluding income taxes and any taxes already recovered under other provisions of this Lease but specifically including real property taxes and any substitute charges and all personal property taxes and assessments levied or assessed on the Building, or any portion thereof or interest therein; (x) cleaning, collection, storage and removal of trash, rubbish, dirt and debris, and sweeping and cleaning the Common Area; (xi) maintenance, repair and replacement of Christmas and other seasonal decorations and lighting (including, but not limited to, the annual installation and removal of such decorations and lighting); (xii) servicing and maintaining and monitoring any fire sprinkler system and any other life safety system; (xiii) costs of licenses, permits and inspection fees; (xiv) any alterations, additions or improvements required to be made to the Common Area in order to comply with applicable Laws; (xv) reserves for all or any of the foregoing; and (xvi) any other cost or expense which this Lease expressly characterizes as an Operating Expense. In addition, Operating Expenses include an allocable portion of the cost of capital improvement items which are (x) reasonably calculated to reduce operating costs, or (y) required to comply with any Law hereafter promulgated, in either case amortized with interest at a commercially reasonable rate determined by Landlord over the reasonable useful life thereof as determined by Landlord. However, notwithstanding the foregoing, Operating Expenses shall not include the cost of or expenses for the following: (A) leasing commissions, attorneys' fees or other costs or expenses incurred in connection with negotiations or

IN WITNESS WHEREOF, Landlord and Tenant have executed this Lease as of the day and year first above written.

H & K, INC.,
a Hawaii corporation

By 
Name: Daniel Lim
Title: Chief Operating Officer

Landlord

LANI SPIRITS LLC.,
A Hawaii limited liability company

By 
Name: Heather Lim
Title: Owner

EXHIBIT B2

- (2) Adding a section to allow postponing the requirement that a developer of a time share plan within a condominium project provide the purchaser with a public report prior to making sales, provided that the developer has obtained a preliminary permit authorizing commencement of such sales from the director of the Department of Commerce and Consumer Affairs; and
- (3) Adding a new section describing the intent and purpose of the amended bill.

As affirmed by the record of votes of the members of your Committee on Consumer Protection and Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 658, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 658, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee except Representatives Morita, Halford and Rath.

SCRep. 925 Consumer Protection and Commerce and Judiciary and Hawaiian Affairs on H.B. No. 1622

The purpose of this bill is to amend the liquor law to allow the holder of a liquor manufacturer's license to also hold any interest in a wholesale liquor license.

Your Committees received testimony supporting this bill from Anheuser-Busch Sales of Hawaii, Inc., (Anheuser-Busch), and the Hawai'i Restaurant Association (HRA). Testimony in opposition to the bill was submitted by the Hawaii Teamsters and Allied Workers, Local 996 (Local 996), who objected to the bill because allowing a manufacturer and wholesaler to become one in the same, would remove the wholesaler from the business equation and confer a definite marketing advantage on the manufacturer.

Anheuser-Busch testified that in July of 1996 it had obtained a wholesale license from the Maui Liquor Commission (Commission), and purchased a distributorship allowing it to operate in four counties of this state on July 29, 1996. Anheuser-Busch's Maui license was due to sunset in 2002, and after many hearings of the Commission, the question of renewal or grandfathering of that license had not yet been resolved. In December 1998, the Commission deferred to the Attorney General for resolution of the question of whether Anheuser-Busch may hold a wholesale license.

Anheuser-Busch testified that the uncertain status of its Maui license had caused considerable disruption of its normal business planning and long-term decisionmaking, and had generated a tremendous amount of employee stress. Anheuser-Busch stated that it had tried to be a good corporate citizen. When it acquired the Hawaii distributorship, it retained all existing personnel and brought in only five persons from the mainland. It employs over 200 persons, contributes \$13,000,000 in state and local taxes, and has invested over \$33,000,000 in its in-state holdings. Its community activities have included flying 100 of Hawaii's children stranded in Atlanta during the 1996 Olympics back home to the state, and contributing heavily to many charitable and nonprofit groups.

HRA stated that the question to be addressed by the Attorney General was whether "manufacturer" in section 281-31, Hawaii Revised Statutes, included a company like Anheuser-Busch, whose brewery is located outside of the state and that operates a wholesale in-state business.

A consultant for Anheuser-Busch who served as Deputy Director of the federal Bureau of Alcohol, Tobacco and Firearms, testified regarding the unlawful practice provisions of the Federal Alcohol Administration Act of 1935 (FAA Act), referenced in section 281-42(c). The consultant testified that the FAA Act outlawed monopolistic trade practices in the liquor industry and was consistent in prohibiting wholesaler and manufacturer ownership of retail outlets, but never prohibited manufacturers from owning wholesalers.

Your Committees find nothing to show that ownership of a wholesale dealer's license by Anheuser-Busch has been the source of detrimental consequences for the community. Your Committees also find that the ambiguity in the state's liquor laws that first allowed Anheuser-Busch to establish its wholesale business, and that has subsequently generated the problems that Anheuser-Busch has encountered in doing business in this state, should be resolved. Your Committees, cognizant of the concerns of Local 996, have narrowed the bill to reduce its effect on competition in the liquor industry by:

- (1) Removing provisions allowing holders of a manufacturer's license to hold any interest in a wholesaler's license; and
- (2) Replacing these provisions with language authorizing brewers of beer within or without the state, to hold any interest in a wholesale dealer's and a manufacturer's license, limited to manufacturing or wholesaling the beer brewed.

As affirmed by the records of votes of the members of your Committees on Consumer Protection and Commerce and Judiciary and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1622, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1622, H.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committees except Representatives Kaho'ohalahala, Halford and Pendleton.

SCRep. 926 Finance on H.B. No. 185

The purpose of this bill is to improve educational outcomes by establishing maximum class sizes for the public elementary schools.

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2021 DEC 14 F 2:19

Rule 3-83-53.1

EXHIBIT C1

List your experience in the liquor industry:

I work as an accounting director at a grocery retail store.(1670 Makaloa Street, Honolulu HI 96814)

RECEIVED
LIQUOR COMMISSION
STATE OF HONOLULU

2021 DEC 11 PM 2:19

Will you devote time to manage the subject business?



Yes



No

If answer is "YES", will it be



Full time, or



Part-time?

I, Heather Lim

, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Signature

PASSPORT
REQUIRE
PHOTOGRAPH
AFFIX 2"



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

SS.

On this 3rd day of Dec., in the year of 2021, personally appeared Heather HyunKyung Lim who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

3rd day of December, 2021

Signature of Notary

Print Name Stacey Pak
Notary Public, State of Hawaii

My commission expires July 19, 2023

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc: DEC - 3 2021

of Pages: 2

Notary Name: Stacey Pak First Circuit

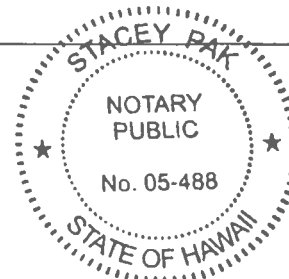
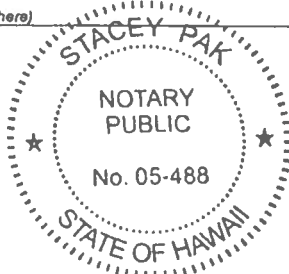
Doc. Description: Personal History and Affidavit

Notary Signature

DEC - 3 2021

Date

(Place Notary Stamp or Seal here)



MIA D. OBCIANA
PARTNER

MOBCIANA@GRSM.COM

GORDON & REES
SCULLY MANSUKHANI
YOUR 50 STATE PARTNER™

ATTORNEYS AT LAW
707 RICHARD STREET, SUITE 625
HONOLULU, HI 96813
WWW.GRSM.COM

April 12, 2022

VIA EMAIL

Daniel Sato
Licensing Supervisor
Honolulu Liquor Commission
711 Kapiolani Boulevard, Suite 600
Honolulu, Hawai'i 96813

Re: Lani Spirits, LLC dba Lani Spirits LLC;
Application No. 22-23464

Dear Mr. Sato,

This letter is in response to the March 14, 2022, Licensing Investigative Report by Licensing Investigator Matthew Foster. Specifically, the section entitled "POSSIBLE ISSUES WITH NEW APPLICATION."

In said section, Investigator Foster mentioned that Ms. Lim's status as an employee of J&D Investments LLC dba Palama Supermarket is a potential violation of Haw. Rev. Stat. §281-42. This issue is easily resolved with Ms. Lim's immediate resignation from J&D Investments LLC.

Next, on page 6 of the Investigative Report, Investigator Foster claims Ms. Lim has ownership interest in the following entities: (1) Yoda LLC dba BBQ Chicken Hawai'i; (2) J&J Investment Group LLC dba Palama Express; (3) I&E Investment Inc. dba Palama Supermarket Waimalu; and (4) H&K Inc. dba Palama Supermarket. These assertions are false.

Mr. Foster's Investigative Report claims that Ms. Lim is the "current Authorized Agent" for Yoda LLC. As you can see in Exhibit A, attached, in the business information for Yoda LLC, the registered Agent is named Yong Il Yoon and not Ms. Lim.

The Investigative Report also claims Ms. Lim is the "Current Sole Member of J&J Investment Group LLC[.]" This is also false. As shown in Exhibit B, attached, the sole Manager of J&J Investment Group LLC is Daniel Lim.

The Investigative Report alleges Ms. Lim is the "Current Sole Officer of I&E Investment Inc." Again, this information is inaccurate. As stated in Exhibit C, attached, the only officer for

April 12, 2022

Page 2

I&E Investment Inc is Daniel Lim. Heather Lim is not listed as an officer or director of this entity.

Investigator Foster also asserts that Ms. Lim is a "Current Officer[]" and Director[] of H&K Inc." The officers and directors for H&K Inc are Hyo Kyu Lim, Hae Joo Lim, and Daniel Lim. Heather Lim is not an officer, director, or registered agent for H&K Inc.

Heather Lim does not have any ownership or hold any interest in and is not an agent or employee (as of the date of this letter) of, any entity that holds a retail license. She is not an never has been an officer, director, or registered agent of Yoda LLC, J&J Investment Group LLC, I&E Investment Inc., or H&K Inc. The fact that Ms. Lim's husband is an officer or director of a number of the above entities should not preclude her from establishing a business of her own and obtaining a wholesale license.

Investigator Foster has also alluded to issues regarding federal regulations. However, when I contacted the Alcohol and Tobacco Tax and Trade Bureau ("TTB") and addressed these issues, I was informed that the TTB was not concerned and until and unless it received evidence there was a violation of federal regulations, it did not consider Ms. Lim's family relationship with Mr. Lim to raise any regulatory issues related to their respective businesses.

Ms. Lim and I look forward to addressing any of the Commission's concerns during the preliminary hearing on her application on April 14, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Mia D. Obciana", with a stylized flourish at the end.

Mia D. Obciana

Attachments

EXHIBIT A

DCCA State of Hawaii

Downloaded on April 12, 2022.

The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	YODA LLC
BUSINESS TYPE	Domestic Limited Liability Company (LLC)
FILE NUMBER	241355 C5
STATUS	Active
PLACE INCORPORATED	Hawaii UNITED STATES
REGISTRATION DATE	Aug 28, 2020
MAILING ADDRESS	725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES
PARTNER TERMS	AT-WILL
MANAGED BY	MEMBER(S)
AGENT NAME	YOUNG IL YOON
AGENT ADDRESS	725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2021	Sep 21, 2021	Processed

Officers

NAME	OFFICE	DATE
YOON,YOUNGIL	MEM	Aug 28, 2020
LIM,DANIEL	MEM	Aug 28, 2020

Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
BBQ CHICKEN HAWAII	Trade Name	NO CATEGORY SELECTED	Mar 1, 2021	Feb 28, 2026	Active

EXHIBIT B

DCCA State of Hawaii

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The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	J&J INVESTMENT GROUP LLC
BUSINESS TYPE	Domestic Limited Liability Company (LLC)
FILE NUMBER	125894 C5
STATUS	Active
PURPOSE	RETAIL-GROCERY
PLACE INCORPORATED	Hawaii UNITED STATES
REGISTRATION DATE	Feb 2, 2015
MAILING ADDRESS	C/O JAY KANG CPA INC 725 KAPIOLANI BLVD #C-110 HONOLULU, Hawaii 96813 UNITED STATES
PARTNER TERMS	AT-WILL
MANAGED BY	MANAGER(S)
AGENT NAME	THOMAS KIM
AGENT ADDRESS	725 KAPIOLANI BLVD #C-110 HONOLULU, Hawaii 96813 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2022	Mar 31, 2022	Processed
2021	Feb 22, 2021	Processed
2020	Mar 23, 2020	Processed
2019	Jan 24, 2019	Processed
2018	Jan 9, 2018	Processed
2017	Mar 13, 2017	Processed
2016	Jun 2, 2016	Processed

Officers

NAME	OFFICE	DATE
LIM,DANIEL	MGR	Feb 2, 2015

Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
PALAMA EXPRESS	Trade Name	NO CATEGORY SELECTED	Sep 14, 2015	Sep 13, 2025	Active

EXHIBIT C

DCCA State of Hawaii

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The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	I & E INVESTMENT, INC.
BUSINESS TYPE	Domestic Profit Corporation
FILE NUMBER	228295 D1
STATUS	Active
PURPOSE	RETAIL - SUPERMARKET
PLACE INCORPORATED	Hawaii UNITED STATES
INCORPORATION DATE	Jan 14, 2010
MAILING ADDRESS	C/O JAY KANG CPA INC 725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES
TERM	PER
AGENT NAME	DANIEL LIM
AGENT ADDRESS	1670 MAKALOA ST HONOLULU, Hawaii 96814 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2022	Mar 31, 2022	Processed
2021	Feb 22, 2021	Processed
2020	Mar 23, 2020	Processed
2019	Jan 24, 2019	Processed
2018	Jan 9, 2018	Processed
2017	Mar 13, 2017	Processed
2016	Mar 18, 2016	Processed
2015	Mar 30, 2015	Processed
2014	Mar 27, 2014	Processed
2013	Apr 15, 2013	Processed
2012	Feb 27, 2012	Processed
2011	Feb 17, 2012	Processed

Officers

NAME	OFFICE	DATE
LIM,DANIEL	P/N/T/S/D	Jan 1, 2022

Stocks

DATE	CLASS	SHARES	PAID SHARES	PAR VALUE	STOCK AMOUNT
------	-------	--------	-------------	-----------	--------------

Jan 1, 2011	COMMON	1,000	1,000
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Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
PALAMA SUPERMARKET WAIMALU	Trade Name	NO CATEGORY SELECTED	May 6, 2019	May 5, 2024	Active
PALAMA SUPERMARKET WAIMALU	Trade Name	NO CATEGORY SELECTED	Mar 22, 2010	Mar 21, 2015	Expired

EXHIBIT D

DCCA State of Hawaii

Downloaded on April 12, 2022.

The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

Business Information

MASTER NAME	H & K, INC.
BUSINESS TYPE	Domestic Profit Corporation
FILE NUMBER	34085 D1
STATUS	Active
PURPOSE	RETAIL/WHOLESALE - GROCERY/LIQUOR
PLACE INCORPORATED	Hawaii UNITED STATES
INCORPORATION DATE	Aug 10, 1977
MAILING ADDRESS	C/O JAY KANG CPA INC 725 KAPIOLANI BLVD #C110 HONOLULU, Hawaii 96813 UNITED STATES
TERM	PER
AGENT NAME	DANIEL LIM
AGENT ADDRESS	1670 MAKALOA ST HONOLULU, Hawaii 96814 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2021	Aug 12, 2021	Processed
2020	Aug 17, 2020	Processed
2019	Sep 6, 2019	Processed
2018	Aug 30, 2018	Processed
2017	Sep 20, 2017	Processed
2016	Aug 17, 2016	Processed
2015	Aug 20, 2015	Processed
2014	Sep 25, 2014	Processed
2013	Dec 5, 2013	Processed
2012	Sep 12, 2012	Processed
2011	Sep 8, 2011	Processed
2010	Aug 3, 2010	Processed
2009	Sep 9, 2009	Processed
2008	Oct 6, 2008	Processed
2007	Jul 27, 2007	Processed
2006	Sep 7, 2006	Processed
2005	Sep 12, 2005	Processed
2004	Sep 14, 2004	Processed
2003	Sep 15, 2003	Processed
2002		Not Required
2001		Processed
2000		Processed
1999		Processed

Officers

NAME	OFFICE	DATE
LIM,HYO KYU	P/D	Jul 1, 2013
LIM,HAE JOO	V/S/T/D	Jul 1, 2021
LIM,DANIEL	V	Jul 1, 2003

Stocks

DATE	CLASS	SHARES	PAID SHARES	PAR VALUE	STOCK AMOUNT
Dec 31, 1989	COMMON	1,000	1,000	10.	10,000.

Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	EXPIRATION DATE	STATUS
PALAMA SUPERMARKET	Trade Name	NO CATEGORY SELECTED	May 6, 2019	May 5, 2024	Active
PALAMA SUPERMARKET	Trade Name	NO CATEGORY SELECTED	Mar 22, 2010	Mar 21, 2015	Expired

APR 14 2022

MAR 24 2022

to

LICENSING INVESTIGATIVE REPORT

DATE: March 14, 2022

SUBJECT: New Liquor License application No. 22-23464 Lani Spirits LLC dba Lani Spirits LLC, Wholesale General license, located at 1070 N. King Street, Unit 208, Honolulu HI 96817

NOTIFICATION OF AUTHORIZED AGENT:

In a Notification of Authorized Agent forms dated May 8, 2021, and received June 30, 2021, Lani Spirits LLC authorizes Mia Obciana to represent the applicant in all liquor related matters.

BACKGROUND:

The applicant is applying for a Wholesale General license. According to the submitted Personal History Affidavit, and confirmed by the authorized representative, Mia Obciana, Heather Lim is the "Accounting Director" of J&D Investments LLC dba Palama Supermarket Makaloa, Retail General license No. D1061. The Heather Lim is the spouse of Daniel Lim; Member and Officer/Director for a number of current Restaurant and Retail licensees.

COMPANY STRUCTURE:

Lani Spirits LLC: was organized under the laws of the State of Hawaii on November 21, 2017 as a Manager-Managed limited liability company.

The Sole Manager and Member is:

		<u>Units</u>	<u>Interest</u>
<u>Lim, Heather</u>	Manager/ Member	100	100%
	Total	100	100%

For further details of Heather Lim, see **Exhibits A** for biographical information. CJIS Computer System checks are negative for felony convictions. FBI checks are pending.

FINGERPRINTS:

Heather Lim will schedule fingerprinting from "Fieldprint Service" on a future date. Results are pending.

FINANCIAL STATEMENT OF LANI SPIRITS LLC, AS MAY 30, 2021:

Applicant submitted a Financial Statement dated June 2, 2021, and received by the Commission June 30, 2021 and certified by the applicant to be substantially correct.

COST AND FINANCING:

According to the applicant, the initial start-up costs are approximately \$50,000 and will be self-financed by the applicant.

DESCRIPTION OF THE PREMISES:

Location: The proposed premises is located on the 2nd floor on an irregular shaped multi-storied building, located at 1070 N. King Street, Unit 208, Honolulu. This is the same location as H&K, Inc. dba Palama Supermarket, Retail, General License (D0650).

Details of premises:

- Approximately 576 square feet (24ft x 24ft).

Parking: Parking stalls are available on the property

See floor plan marked as **Exhibit B**, for more details.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Jesus Faith Deliverance Church
925 N. King Street, #2, Honolulu
Approximately 375 feet from the proposed premises

Kanoa Street Mini Park
856 Kanoa Street, Honolulu
Approximately 375 feet from the proposed premises

Auld Lane Mini Park
1130 Auld Lane, Honolulu
Approximately 380 feet from the proposed premises

SAME CLASS OF LICENSE WITHIN 500 FEET:

None

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business: Wholesale distributor, specializing in "High-End" Korean Rice Wines to distribute to Restaurants and Retail businesses
Hours of Operation: 8:00 a.m. to 5:00 p.m., Mon-Fr.
3 employees

LEASE: The "Lease" between H&K Inc. (Landlord) and Lani Spirits LLC, dated June 1, 2020, commencing on June 1, 2021 for a term of five (5) years.

LANDLORD CONSENT: According to the lease submitted, H&K Inc. (Landlord) advises that they have no objections to allow the applicant to sell or store liquor on the premises.

FEDERAL BASIC PERMIT: The applicant has filed for a Federal Basic Permit with the U.S. Department of the Treasury. The permit was approved in 2019 and was submitted with this application.

POSSIBLE ISSUES WITH NEW APPLICATION:

§281-1 Definitions: "Licensee" includes also all agents, servants, and employees of the holder of a license.

"Person" means and includes natural persons, associations, co-partnerships, limited liability companies, and corporations, and also includes any agent, servant, and employee of such person.

"Retail licensee" means any licensee holding a class 2, class 4 through class 16, or class 18 license.

Issue #1. According to the applicant's personal history and affidavit, Heather Lim is currently employed at J&D Investments LLC dba Palama Supermarket Makaloa which exercises a retail general license, No.# D1061. Under a Wholesale's license, the applicant will have exclusive possession and control over the liquor products and the accounts in an effort to make a sale, placing orders for delivery, and all other required operations of a Wholesale liquor license, while still employed as the Accounting Director for e current retail licensee.

§281-1 Definitions: "Licensee" includes also all agents, servants, and employees of the holder of a license.

"Retail licensee" means any licensee holding a class 2, class 4 through class 16, or class 18 license.

POSSIBLE ISSUES WITH NEW APPLICATION-CONTINUED:

"Seller" includes the agents and employees of a seller; provided that any person shall be deemed to be a seller, who in the State, whether acting as agent or representative of a nonresident principal or otherwise, solicits the placing of or takes, receives, or forwards orders for liquor to be shipped into the State from any place without the State to be delivered to customers, by direct shipment or otherwise.

§281-42: Manufacturers and wholesale dealers, special restrictions.

(a) It shall be unlawful for any person holding a manufacturer's license or a wholesale dealer's license to induce the purchases of a retail licensee by:

(1) Acquiring or holding any interest in any license of a retail licensee;

(2) Acquiring any interest in the real or personal property owned, occupied, or used by a retail licensee in the conduct of its business, unless the holding of such interest is permitted under the regulations of the liquor commission or statement thereof has been filed with the commission and has not been disapproved by it;

(3) Furnishing, giving, renting, lending, or selling to a retail licensee any equipment, fixtures, signs, supplies, money, services or other thing of value, subject to the exceptions contained in Subpart D of the "tied house" regulations of the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department, 27 Code of Federal Regulations Part 6 (1988) as the same may change from time to time;

**Title 27 Alcohol Tobacco Products and Firearms, Chapter 1, Subchapter A, Part 6
"Tied House."**

§6.21 Application. Except as provided in subpart D, it is unlawful for any industry member to induce, directly or indirectly, any retailer to purchase any products from the industry member to the exclusion, in whole or in part, of such products sold or offered for sale by other persons in interstate or foreign commerce by any of the following means.

By acquiring or holding (after the expiration of any license held at the time the FAA Act was enacted) **any interest in any license with respect to the premises of the retailer;**

By acquiring any interest in the real or personal property owned, occupied, or used by the retailer in the conduct of his business;

By furnishing, giving, renting, lending, or selling to the retailer, any equipment, fixtures, signs, supplies, money, services or other thing of value, subject to the exceptions contained in subpart D;

POSSIBLE ISSUES WITH NEW APPLICATION-CONTINUED:

By paying or crediting the retailer for any advertising, display, or distribution service;

§6.25 General. The act by an industry member of acquiring or holding any interest in any license (State, county, or municipal) with respect to the premises of a retailer constitutes a means to induce within the meaning of the Act.

§6.26 Indirect Interest. Industry member interest in retail licenses includes any interest acquired by corporate officials, partners, employees or other representatives of the industry member. Any interest in a retail license acquired by a separate corporation in which the industry member or its officials, hold ownership or are otherwise affiliated, is an interest in a retail license.

§6.27 Propriety interest. (a) Complete ownership. Outright ownership of a retail business by an industry member is not an interest which may result in a violation of section 105(b)(1) of the Act.

(b) Partial ownership. Less than complete ownership of a retail business by an industry member constitutes an interest in a retail license within the meaning of the Act.

The applicant is the current "Accounting Director" of J&D Investments LLC dba Palama Supermarket Makaloa, Retail, General license (No.# D1061). As an employee (Acting as an agent and or representative) of a current retail licensee and an owner/ operator of a Wholesale license, there is **potential of violation** of "Tied House" federal regulations and Hawaii Revised Statutes §281-42 Manufacturers and wholesale dealers, special restrictions.

The applicant is the "Accounting Director" for J&D Investments LLC dba Palama Supermarket Makaloa, a Retail licensee.

The applicant is the spouse of Daniel Lim; Owner of a number of current Restaurant and Retail licensees, to include: I&E Investment, Inc. dba Palama Supermarket Waimalu, J&J Investment Group LLC dba Palama Express, and Yoda Inc. dba BBQ Chicken Hawaii.

The applicant is a family member of Hyo Lim and Hae Lim, Owners of J&D Investments LLC dba Palama Supermarket Makaloa, and H&K, Inc. dba Palama Supermarket.

The applicants employer is Hyo Lim and Hae Lim, Owners of J&D Investments LLC dba Palama Supermarket Makaloa.

The applicants Landlord is Hyo Lim and Hae Lim, Owners of H&K, Inc. dba Palama Supermarket.

POSSIBLE ISSUES WITH NEW APPLICATION-CONTINUED:

The inducement of purchases is inherent within the structure of this business model and business/ personal relationships.

OTHER LIQUOR LICENSED INTERESTS:

Heather Lim is the current Accounting Director:
J&D Investments LLC
dba Palama Supermarket Makaloa
Retail, General license No.# D1061
1670 Makaloa St., Honolulu

Heather Lim is the current Authorized Agent:
Yoda LLC
dba BBQ Chicken Hawaii
Restaurant, Beer & Wine license No.# R1462
4210 Waialae Ave., Space B-3, Honolulu

Heather Lim is the spouse of Daniel Lim:
Current Member of Yoda LLC
dba BBQ Chicken Hawaii
Restaurant, Beer & Wine license No.# R1462
4210 Waialae Ave., Space B-3, Honolulu

Current Sole Member of J&J Investment Group LLC
dba Palama Express
Retail, General license No.# D1232
One Aloha Tower, Space #1208, Honolulu

Current Sole Officer of I&E Investment Inc.
dba Palama Supermarket Waimalu
Retail, General license No.# D1108
98-020 Kamehameha Hwy., Aiea

Heather Lim and Daniel Lim are direct relatives of Hyo Lim and Hae Lim:
Current Members of J&D Investments LLC
dba Palama Supermarket Makaloa
Retail, General license No.# D1061
1670 Makaloa St., Honolulu

Current Officers and Directors of H&K Inc.
dba Palama Supermarket
Retail, General license No.# D0650
1010 N. King St., Honolulu

ZONING CLEARANCE:

An approved Department of Planning and Permitting zoning clearance, dated May 13, 2021, has been received by the Commission. Use is permitted for the Wholesale Liquor Sales.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:


As of February 10, 2022, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.


NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

In my opinion, this application **does not** comply with the statutory requirements of filing this application. The applicant's business model and relationships, appears to violate Hawaii Revised Statutes and may not be in compliance with Federal Laws.


Matthew Foster
Licensing Investigator


3/15/22

Reviewed by:


Daniel Sato
Supervising Investigator

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/lig

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2021 DEC 14 P 2:19

Rule 3-83-53.1

CITIZENSHIP* U.S. Citizen DATE ARRIVED IN HAWAII (if applicable)
 *(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

[illegible]

NOTARY INITIAL: _____

EXHIBIT A

List your experience in the liquor industry: _____

I work as an accounting director at a grocery retail store.(1670 Makaloa Street, Honolulu HI 96814)

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2021 DEC 14 PM 2:19

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, Heather Lim, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Signature

PASSPORT
REQUIRE
PHOTOGRAPH
AFFIX 2"



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 3rd day of Dec., in the year of 2021, personally appeared Heather Hyunkyoung Lim who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

3rd day of December, 2021

Signature of Notary

Print Name: Stacey Pak
Notary Public, State of Hawaii

My commission expires July 19, 2023

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc: DEC - 3 2021 # of Pages: 2

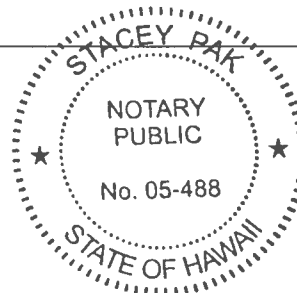
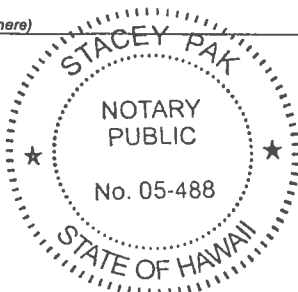
Notary Name: Stacey Pak First Circuit

Doc. Description: Personal History and Affidavit

Notary Signature

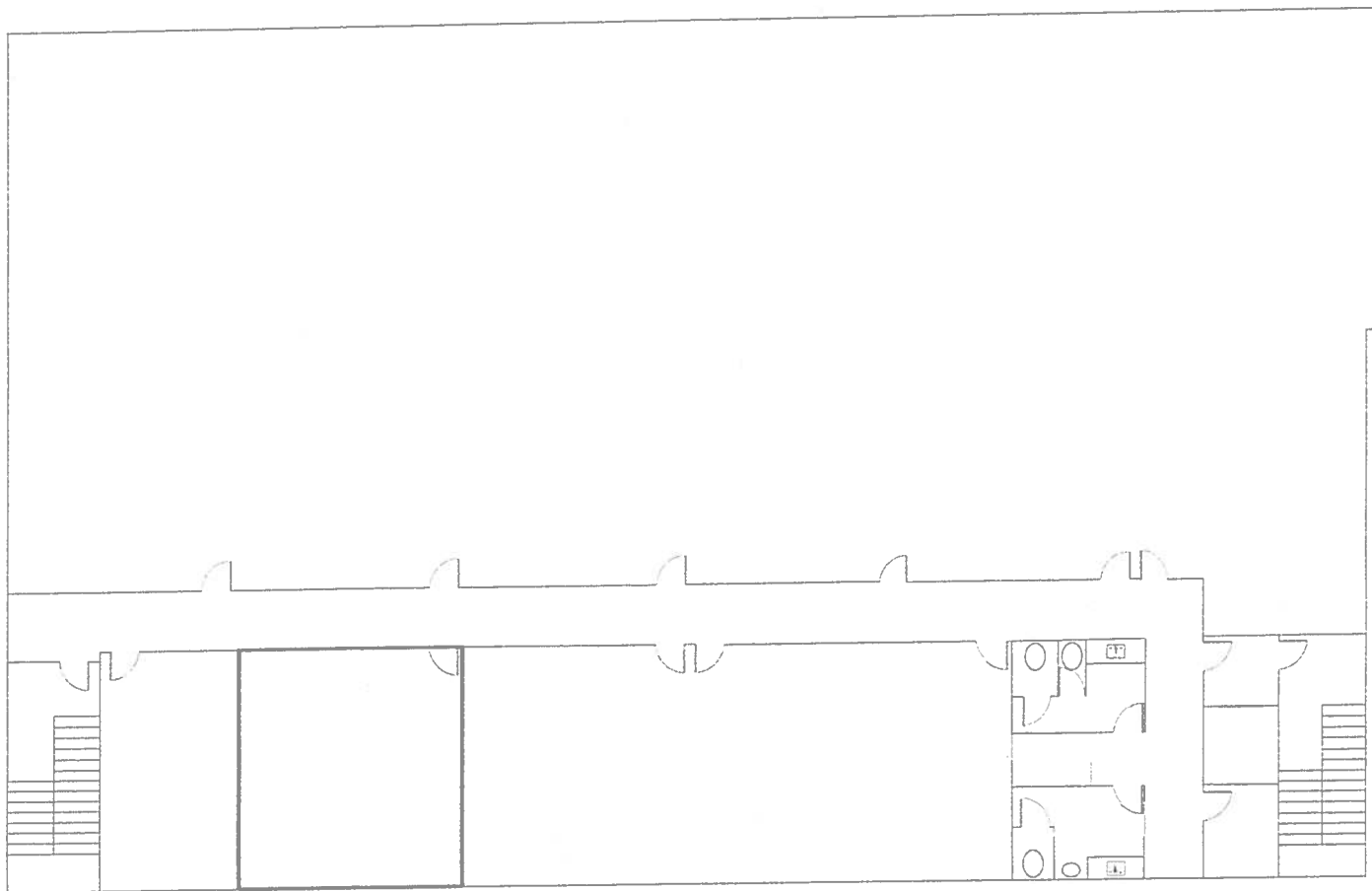
DEC - 3 2021
Date

(Place Notary Stamp or Seal here)



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

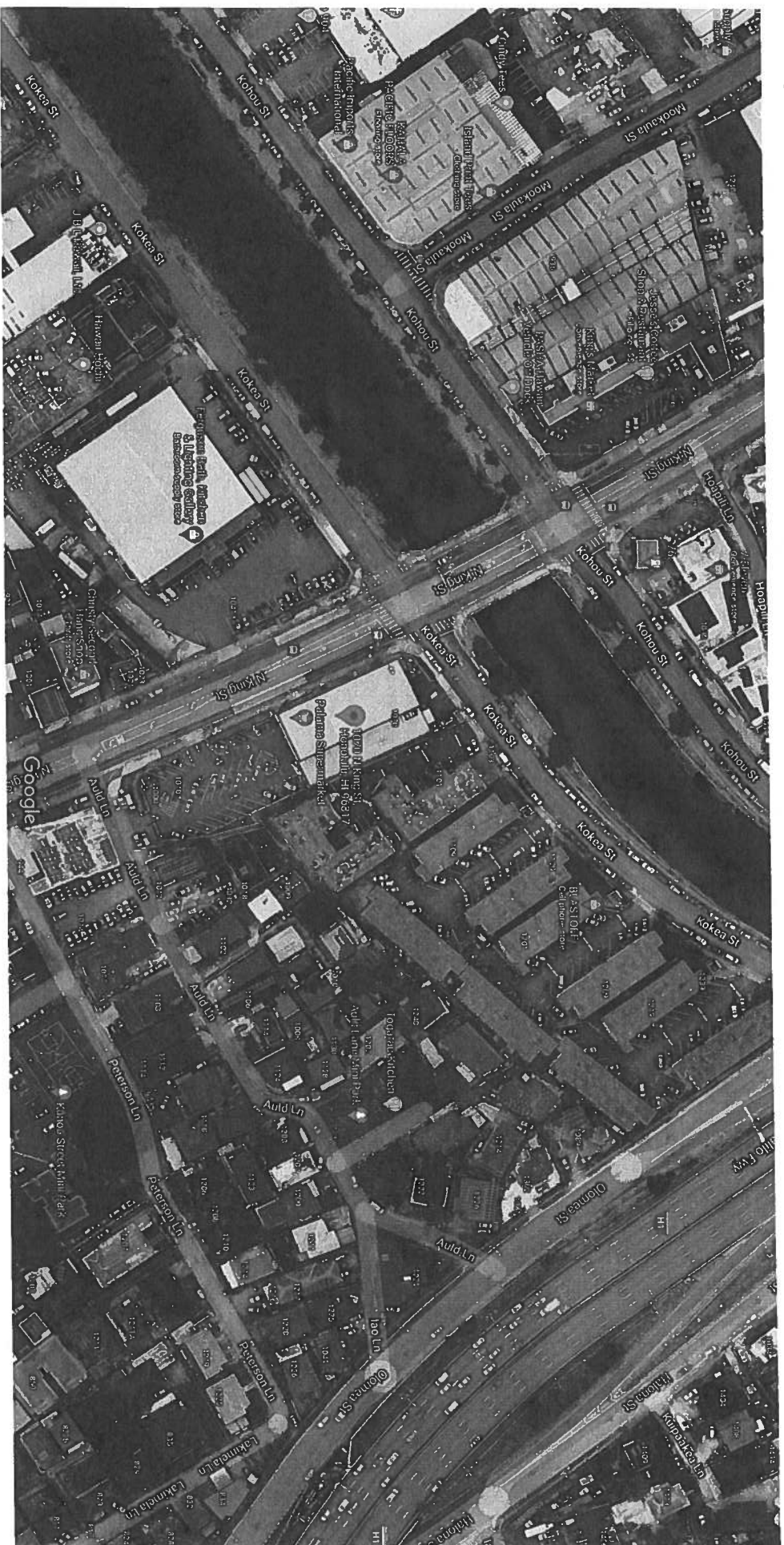
2022 MAR -9 P 12: 20



1 inch = 6 feet
New Palama Market
2nd Floor Layout

EXHIBIT B

Google Maps 1070 N King St



Imagery ©2021 CyberCity 3D, Inc. / 3D Travel Inc., Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2021 100 ft

LICENSING INVESTIGATIVE REPORT

DATE: May 10, 2022

SUBJECT: New Application No. 22-24190 Royal Koyo LLC dba Khan Skewer Restaurant for a Restaurant Beer & Wine Category 1: Standard liquor license at the former location of Saiminsays LLC dba Papa Kurt's at 925 Isenberg St. Honolulu, HI 96826

COMPANY STRUCTURE:

Royal Koyo LLC: was organized under the laws of the State of Hawaii on August 12, 2021, as a Manager-Managed Limited Liability Company. The sole Manager/ Member is:

	<u>Title</u>	<u>Ownership</u>
Hee, Brian	Manager/ Member	100%

Refer to **Exhibit A**, Personal History and Affidavit. CJIS computer check show negative for felony convictions.

FINGERPRINTS:

Brian Hee was fingerprinted on January 10, 2022. HCJDC/ FBI check show negative for felony convictions.

FINANCIAL STATEMENT FOR ROYAL KOYO LLC, AS OF SEPTEMBER 20, 2021:

Applicant submitted a Financial Statement dated December 3, 2021, and received by the Commission December 3, 2021, and was certified by the applicant to be substantially correct.

TRADE NAME:

According to State of Hawaii Department of Commerce and Consumer Affairs, Form T-1, Application for Registration of Trade Name, dated October 8, 2021, the trade name "Khan Skewer Restaurant" is registered to the applicant from October 8, 2021 till October 7, 2026.

COST AND FINANCING:

According to the Neal Gota, Authorized agent, renovation cost was approximately \$10,000.00. Renovation funds and additional funds to operate restaurant will be provided by the Sole Member Brian Hee.

STAND ALONE TEMPORARY LICENSE:

Restaurant Beer and Wine Category 1: Standard Stand Alone Temporary license was approved on February 3, 2022. Stand Alone Temporary license **T0307** was issued and made effective from February 4, 2022 and expires on June 4, 2022.

BACKGROUND:

The proposed licensed premises was formerly Saiminsays LLC dba Papa Kurt's (R1450), Restaurant Beer & Wine Category 1: Standard, located at 925 Isenberg St. Honolulu, HI 96826, from July 28, 2021 and placed into Safekeeping on December 20, 2021, and canceled on May 6, 2022.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 925 Isenberg St. Honolulu, HI 96826, the former location of Saiminsays LLC dba Papa Kurt's (R1450)

- The proposed premises is rectangular in shape. Approximately 49ft x 39ft
- Dining area approximately 37 ½ft x 39ft
- Kitchen area approximately 23ft x 29ft
- Men and women restrooms located within the Clubhouse next to the proposed premises

See **Exhibit B**, floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Old Stadium Park
Approximately 110 feet from the proposed licensed premises.

Moiliili Neighborhood Park
Approximately 305 feet from the proposed licensed premises.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET (Continued):

Honolulu Church of God
822 Coolidge St. Honolulu, HI 96826
Approximately 317 feet from the proposed licensed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET:

H&T Corporation dba Maple Garden Restaurant (R0218)
Restaurant/ General Music, Dancing
909 Isenberg St. Honolulu, HI 96826
Approximately 10 feet from the proposed licensed premises

Sunrice Inc. db Ichifuji (R1388)
Restaurant/ General Standard
2334 S. King St, Suite C Honolulu, HI 96826
Approximately 391 feet from the proposed licensed premises

Sunrice Inc. dba Tori Ton (R1230)
Restaurant/ General Standard
2334 S. King St, Suite B Honolulu, HI 96826
Approximately 397 feet from the proposed licensed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of May 10, 2022, there are 554 Restaurant licenses issued within the City and County of Honolulu, of which 39 licenses are Beer & Wine/ kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of Business:

- Take-out and sit down restaurant serving variety of skewered entrees including beef, lamb, pork, chicken, vegetables, and seafood
- Hours of Operation will be 5:00pm to 12 midnight daily
- Applicant will employ 8 employees, 3 of which are managers

Lease: A document titled "Assignment of Lease and Consent & Agreement" was made on September 18, 2021, between Saiminsays, LLC and Chris Kajioka (Assignor), Royal Koyo, LLC (Assignee), and St. Louis Alumni Association (Landlord).

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE (Continued):

Landlord authorizes Assignor to assign, transfer, deliver unto the Assignee as Tenant the rights of the lease titled "SLAA Diner Lease" that was effective September 1, 2020.

SLAA – Diner Lease

Term: SLAA Diner Lease is for 5 years and 4 months commencing September 1, 2020 and ending December 31, 2025, with the option to extend for additional 5 years.

Permitted use: ...operation of first-class commercial kitchen and dine in facility serving local dishes...

Tenant Liquor License: ...may apply and obtain a liquor license for service of beer and wine only...

According to the applicant the business will operate as a restaurant with food sale making up approximately 80% of gross sales.

See **Exhibit C**, Business plan.
Exhibit D, Menu.

OTHER LIQUOR LICENSE INTEREST:

Blue Lagoon Investment Incorporated dba Fresco Restaurant (R0998/ Active), Restaurant General Category 2: Music/ Dancing liquor license at 2005 Kalia Rd. Honolulu, HI 96815. As of September 6, 2012, Brian Hee is shown as VP/ Sec/ Dir.

HISTORY OF VIOLATIONS OF OTHER LIQUOR LICENSE INTEREST DURING
THE PERIOD OPERATED BY THE PRINCIPAL:

LCIS shows LCV 2021-0437 against Fresco Restaurant (R0998) regarding Notice of Violation #226377, for the violation of HLC Rule 3-82-38.8; Failure to file timely annual employee list. Date of violation November 1, 2021. Case Status **Pending (No hearing date set)**.

See **Exhibit E**, History of Violation for Fresco Restaurant (R0998)

ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance dated December 15, 2021, was received by the Commission on May 4, 2022.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of May 10, 2022, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.


OPINION:


In my opinion, the application has complied with the minimum requirements of filing this New license application.



Scott Perez
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator 

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
INTERNET ADDRESS: www.honolulu.gov/liq

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME HEE BRIAN KEE MING SOCIAL SECURITY NO. _____
(Last, First Middle Maiden)

RESIDENTIAL ADDRESS _____ APT. NO. _____

CITY _____ STATE HI ZIP CODE _____

BUS. PH (____) _____ MOBILE PH (____) _____ EMAIL _____

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____
(City, State) (MM / DD / YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1996

NAME OF HIGH SCHOOL ROOSEVELT HIGH SCHOOL, HONOLULU, HAWAII
(include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 2 YEAR COMPLETED 2000

NAME OF COLLEGE KAPIOLANI COMMUNITY COLLEGE, HONOLULU, HAWAII
(include City and State)

OTHER EDUCATION / YEAR(S) ATTENDED N/A

CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (if applicable) _____
*If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.

EMPLOYMENT RECORD (from the time school was completed to present; also indicate any periods of unemployment):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
01/1997	05/1998	ASSOCIATE	SAFEWAY	HONOLULU, HI
06/1998	08/1998	UNEMPLOYED		
09/1998	06/1999	SERVER ASSISTANT	PRINCE KUHIO HOTEL	HONOLULU, HI
06/1999	05/2001	SERVER	SEASIDE BAR AND GRILL	HONOLULU, HI
06/2001	04/2002	SERVER	ANTONIA RESTAURANT	HONOLULU, HI
05/2002	06/2002	UNEMPLOYED		
07/2002	01/2004	SERVER	TOP OF WAIKIKI RESTAURANT	HONOLULU, HI
02/2004	01/2005	MANAGER	ANTONIA RESTAURANT	HONOLULU, HI
02/2005	12/2005	MANAGER	ROYAL STEAK AND SEAFOOD RESTAURANT	HONOLULU, HI
01/2006	11/2007	MANAGER	SEAFOOD VILLAGE RESTAURANT	HONOLULU, HI
12/2007	12/2007	UNEMPLOYED		
01/2008	PRESENT	MANAGER/OWNER	KOA NANI LUXURY JEWELRY	HONOLULU, HI
07/2009	08/2012	MANAGER/OWNER	J3 HAWAII JEWELRY	HONOLULU, HI
06/2012	PRESENT	GM/OWNER	FRESCO RESTAURANT	HONOLULU, HI

(If additional space is needed, please attach a separate sheet)

NOTARY INITIAL: _____

List your experience in the liquor industry: I have over 20 years of experience in the restaurant industry including
12 plus years in management oversee restaurant operations including the sale of liquor. I am very knowledgeable
in the liquor industry and the liquor laws and rules.

Will you devote time to manage the subject business? ☒ YES ☐ NO

If answer is "YES", will it be ☒ FULL TIME, or ☐ PART-TIME?

I, BRIAN KEE MING HEE,

(Print Applicant's Full Name)

, of

(Residential Address, City, State, Zip Code)

being first duly sworn, deposes, and says, that the above information is true and correct and that
☐ have or ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
 City and County of Honolulu

SS.

On this 20th day of October, in the year of 2021, personally appeared

Brian Kee Ming Hee

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

20th day of October, 2021

Signature of Notary

LORNA BOSSE

Print Name:
 Notary Public, State of Hawaii

My commission expires

FEB. 27, 2025

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: October 20, 2021 # of Pages: 2

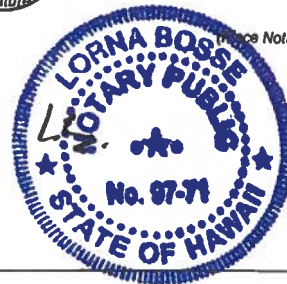
Notary Name: LORNA BOSSE First Circuit

Doc. Description: Liquor Commission - City and County of Honolulu - Personal History and Affidavit

Notary Signature

Date

(Place Notary Stamp or Seal here)



2021 DEC 16 AM 11:02

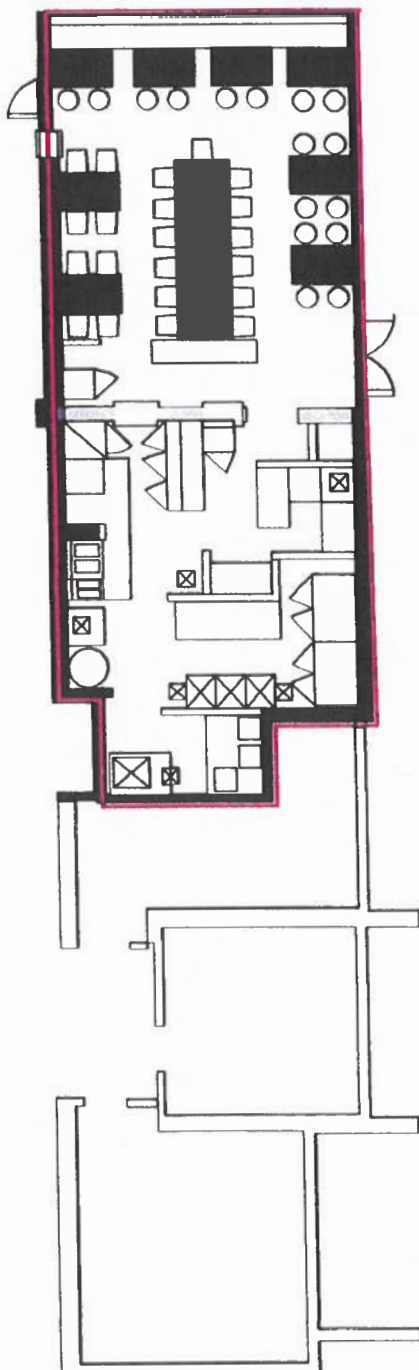


EXHIBIT B

A FLOOR PLAN
SK-1 SCALE: 1/8" = 1'-0"

8' 4' 0 8'
SCALE: 1/8"=1'-0"

[illegible]

Business Plan

KHAN SKEWER RESTAURANT

CONCEPT:

Royal Koyo LLC will operate Khan Skewer Restaurant which is taking over the former Papa Kurt's location in Isenberg Street. Khan Skewer Restaurant will be a take-out and sit down restaurant selling a variety of skewered entrees including beef, lamb, pork, chicken, vegetables and seafood.

SALES

Khan Skewer Restaurant will operate as a restaurant selling food and their proposed liquor sales would be to complement their food menu. It is estimated that food sales will make up approximately 80 percent of gross sales of the restaurant. Therefore, it is anticipated that Royal Koyo LLC will satisfy the 30% food sales requirement to obtain a restaurant liquor license.

SAMPLE MENU

Attached is a sample menu



Appetizer & Salad

Pork Belly with House Sauce	\$11
Cold Tofu	\$7
House Salad	\$8
Braised Beef Salad	\$12

Beef & Lamb **3pcs 5pcs**

Beef	\$7	\$10
Beef Tendon	\$7	\$10
Beef Brisket w/Tendon	\$7	\$10
Lamb	\$8	\$12

Pork **3pcs 5pcs**

Pork Belly	\$8	\$12
Pork Jowl	\$8	\$12
Pork Intestine	\$8	\$12
Pork w/Enoki Mushroom	\$3/each	

Chicken **3pcs 5pcs**

Chicken Thigh	\$7	\$10
Chicken Gizzard	\$7	\$10
Chicken Heart	\$7	\$10
Chicken Cartilage	\$7	\$10
Chicken Feet	\$3/each	
Chicken Wing	\$3/each	

Seafood **3pcs 5pcs**

Kauai Shrimp	\$8	\$12
Crispy Fish Fillet	\$10	\$16
Squid	\$8	\$12
Fish Cake	\$7	\$10

Grilled Oyster	\$19/6 pcs
Grilled Abalone	\$19/3pcs

Vegetable **3pcs 5pcs**

King Oyster Mushroom	\$7	\$10
Shiitake Mushroom	\$7	\$10
Shishito Pepper	\$7	\$10
Zucchini	\$7	\$10
Bean Curd w/Cilantro	\$3/each	
Bean Curd w/Zucchini	\$7/each	
Fresh Kahuku Sweet Corn	\$3/each	
Chives	\$6/each	
Whole eggplant	\$8/each	
Mushroom Medley	\$7/each	
Baby Cabbage	\$7/each	

Miscellaneous

Xiao Long Bao (Stream)	\$15/6pcs
Xiao Long Bao (Vegetarian)	\$15/6pcs
Mongolian Beef Noodle Soup	\$15
Mongolian Beef Noodle Stir Fry	\$15
Scallion Pancake	\$5
Braised Pork Bowl	\$8
Stream Rice	\$3

Dessert

Grilled Taro Pancake	\$5
Cold Red Bean Soup	\$5
Homemade Ice Cream	\$5
Sorbet	\$5

Beverage

Soda	\$4
------	-----



RECEIVED
 LIQUOR COMMISSION
 DEC 16 AM 11:14
 OAC OF HONOLULU

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: R0998

FRESCO RESTAURANT
2005 KALIA RD

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
VIOLATION	26377	11/01/2021	3-82-38.8	2021-0437			
DISCREPANCY	01431	08/01/2013	3-81-17.55(a)	2013-9988	AUDIT	08/01/2013	148.92 *

Records printed: 2

Google Maps 925 Isenberg St



Imagery ©2022 CyberCity 3D, Inc. / 3D Travel Inc., Maxar Technologies, U.S. Geological Survey, USGS, Map data ©2022 200 ft

LICENSING INVESTIGATIVE REPORT

DATE: May 16, 2022

SUBJECT: Application No. 22-24518 from Yung Yee Kee Dim Sum, L.L.C., dba Yung Yee Kee Dim Sum, L.L.C., for a Restaurant General (Category 1 – Standard) license at 1411 Kapiolani Boulevard, Honolulu, at the former site of Gimog Restaurant, Inc., dba Thank Q Pocha (R1110)

COMPANY STRUCTURE:

Yung Yee Kee Dim Sum, L.L.C.: Organized under the laws of the State of Hawaii on July 11, 2019 as a member-managed limited liability company. The members of the company are:

		<u>Percent</u>
Suk Yee Wong	Member	50%
Hon Lun Lam	Member	<u>50%</u>
		100%

See **Exhibit A1** and **A2** for biographical background information on the principals. Criminal History Clearance forms have been received.

According to Notification of Authorized Agent form, dated May 8, 2021, Hon Lun Lam, Member of Yung Yee Kee Dim Sum, L.L.C., authorizes Wayne Luke, Attorney, to serve as an authorized agent for the company before the Liquor Commission.

FINGERPRINTS:

Suk Yee Wong and Hon Lun Lam must be fingerprinted by Fieldprint prior to the issuance of the license. Federal Bureau of Investigation clearances are pending.

**FINANCIAL STATEMENT OF YUNG YEE KEE DIM SUM, L.L.C., AS OF
JANUARY 31, 2022:**

Financial Statement of the Applicant, dated March 8, 2022, was submitted to the Commission and certified by the Applicant to be substantially correct, as of January 31, 2022.

COST AND FINANCING:

It cost approximately \$50,000 to establish the business.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premise will be in Suite 1 of a building located at 1411 Kapiolani Boulevard, Honolulu.

Details of premises

- Approximately **2,266 sq. ft.**
- Irregular in shape, approximately 27 feet by 96 feet overall
- Dining area, bar, storage, kitchen, office, mezzanine (above the office).
- **There are restrooms located outside of the licensed premises in the common area of the building.**

See Exhibit B

Parking: There are 18 parking stalls available for Applicant's customers located makai of the premises and on the Ewa side of the building.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

There are none located within 500 feet of the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET OF PREMISES:

Blazin Wings, Inc.
Dba Buffalo Wild Wings (R1380)
1450 Ala Moana Boulevard, #3324
420 feet southeast of the proposed premises

Ginmi Hawaii LLC
Dba Manichi Ramen (R1107)
1430 Kona Street, #101
100 feet southwest of the proposed premises

Ringer Hut Hawaii Inc.
Dba Rokkaku Hamakatsu (R0777)
1450 Ala Moana Boulevard, Space 2056
460 feet southwest of the proposed premises

T.J.H.K. Company, Inc.
Dba Tanaka Ramen & Izakaya (R1421)
1450 Ala Moana Boulevard, #2054
460 feet southwest of the proposed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND
COUNTY OF HONOLULU:

As of May 16, 2022, there are 552 Restaurant licenses issued within the City and County of Honolulu, of which 513 are of the Restaurant General kind.

OTHER MATTERS PERTAINING TO THE APPLICATION THAT MAY
AFFECT ISSUANCE OF THE LICENSE:

Kind of Business: The business is a currently existing Chinese restaurant primarily serving dim sum. The hours of operation will be from 9:00 a.m. to 9:00 p.m., daily. Suk Yee Wong and Hon Lun Lam will manage the restaurant with approximately 15 to 20 employees.

Business Plan:

See Exhibit C

Lease: According to a Lease Agreement, made and executed September 30, 2019, P.H. (Hawaii) Corporation (Landlord) leases to Suk Yee Benny Wong and Hon Lun Lam (Tenant) approximately **1,640 square feet** of space designated as Suite 1 located at 1411 Kapiolani Boulevard.

According to the lease, Tenant shall have full right of access to the premises over and across... common areas as Landlord may from time to time designate and provide for common use by tenants.

Term: The term of the lease shall commence on October 1, 2019 and end on September 30, 2024.

Option: Tenant shall have the option to extend this lease for one (1) three (3) year period, and an additional option for one (1) two (2) year period.

According to a letter to the Commission, dated April 24, 2021, Landlord allows Tenant to operate the premises under their business entity "Yung Yee Kee Dim Sum LLC".

The lease submitted is for 1,640 square feet of space. The actual premises is approximately 2,266 square feet.

An amendment to the lease or a letter from the Landlord allowing use of that space must be submitted prior to the issuance of the license.

ZONING CLEARANCE:

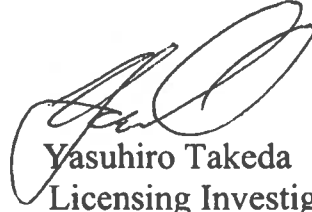
A valid Zoning Clearance issued by the City and County of Honolulu Department of Planning and Permitting must be submitted to the Liquor Commission before a liquor license is issued.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of May 16, 2022, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

OPINION:

In my opinion, statutory requirements have been met.



Yasuhiro Takeda
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Licensing Investigator



249 RECEIVED
LIQUOR COMMISSION
C & C OF HONOLULU

2022 MAR -9 P 1:26

EMPLOYMENT RECORD (from the time school was completed to present):

(If additional space is needed, please use reverse side)

NOTARY INITIAL: EXHIBIT A

List your experience in the liquor industry: LEGENDS

YUNG YEE KEE DIM SUM

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LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAR -9 P 1:26

Will you devote time to manage the subject business? ☒ YES ☐ NO

If answer is "YES", will it be ☒ FULL TIME, or ☐ PART-TIME?

I, SUK YEE WONG

(Print Applicant's Full Name)

[REDACTED]
(Residential Address, City, State, Zip Code)

being first duly sworn, deposes, and says, that the above information is true and correct and that I
(☐ have or ☒ have not) been convicted of any felony charge.



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 11th day of February, in the year of 2022, personally appeared

SUK YEE WONG

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

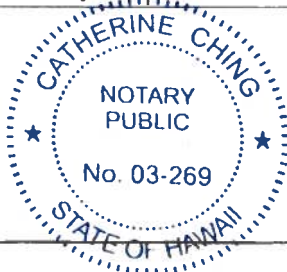
Subscribed and sworn to before me this:

11th day of February, 2022

Print Name CATHERINE CHING
Notary Public, State of Hawaii

My commission expires May 18, 2023

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: _____ # of Pages: 2

Notary Name: CATHERINE CHING FIRST Circuit

Doc. Description: LIQUOR COMMISSION

PERSONAL HISTORY AND AFFIDAVIT

February 11, 2022

Date

(Place Notary Stamp or Seal here)

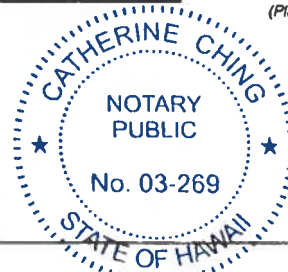


EXHIBIT A

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAR -9 1P 1:26

Rule 3-83-53.1

List your experience in the liquor industry:

Gazen TzuKaya
Yung Yee Koa Dim Sum

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LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAR -9 P 1:26

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, Hon Lun Lam, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I (☐ have/ ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

SS.

On this 11th day of February in the year of 2022, personally appeared Hon Lun Lam who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Subscribed and sworn to before me this:

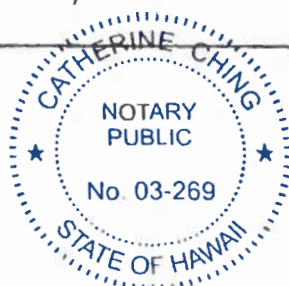
11 day of February, 2022

Print Name:
Notary Public, State of Hawaii

My commission expires

May 18, 2023

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: FEB 11 2022

of Pages: 2

Notary Name: CATHERINE CHING FIRST Circuit

Doc. Description: LIQUOR COMMISSION

PERSONAL HISTORY AND AFFIDAVIT

FEB 11 2022

Date

(Place Notary Stamp or Seal here)

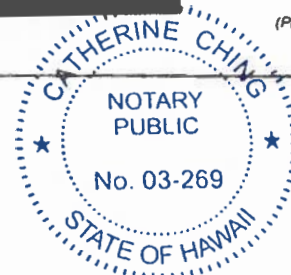


EXHIBIT A

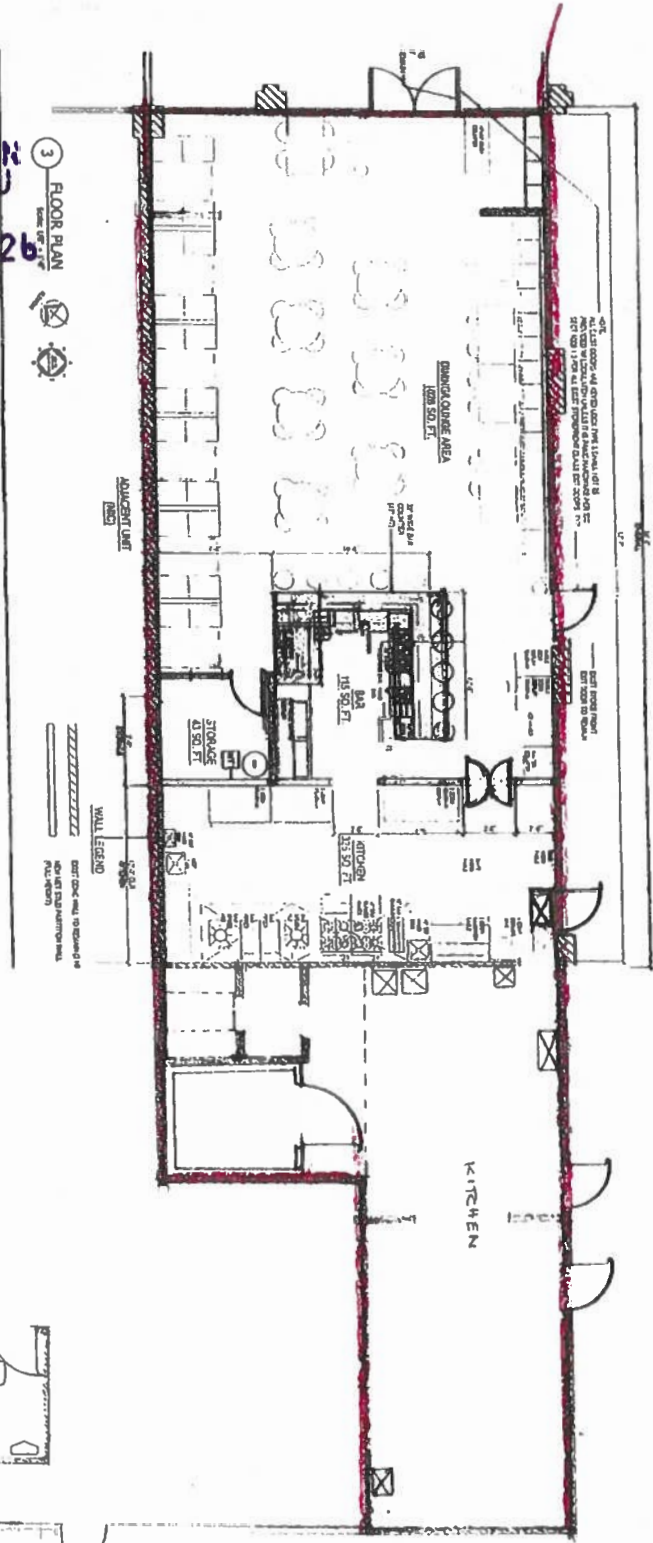
RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAR -9 P 1:26

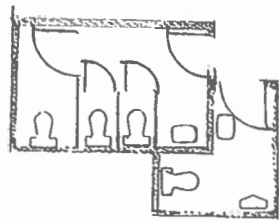
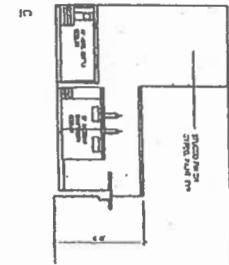
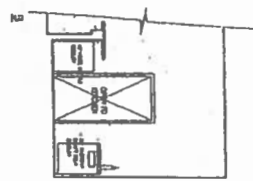
3 FLOOR PLAN



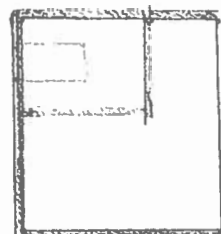
WALL LEGEND
DOOR
WALL



Capacity: 64
5/8/2015



MEZZANINE



30% Justification

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LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAR -9 P 1:31

Applicant is operating a Chinese restaurant primarily relying on serving dim sum.

Liquor is requested solely to complement the food. There is no bar and patrons coming to the premises just to drink will be discouraged.

Applicant member was employed at Legends at the Chinese Cultural Center for twelve years where the sale of food far exceeded the sale of liquor and plans to do the same.

Respectfully submitted

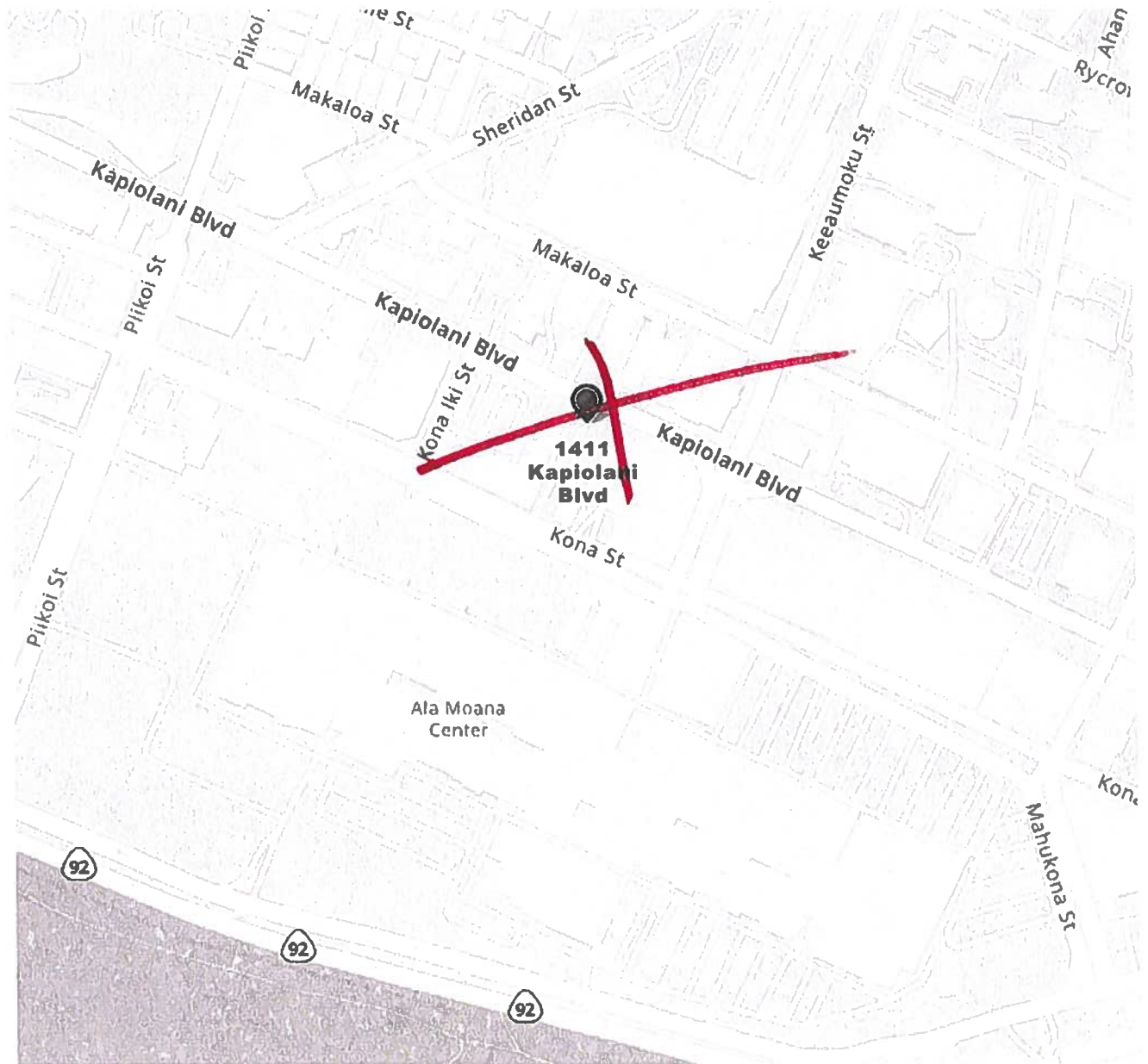


Wayne Luke
Attorney for Applicant

EXHIBIT C

1411 Kapiolani Blvd

Honolulu | HI 96814-4510



LICENSING INVESTIGATIVE REPORT

DATE: July 5, 2022

SUBJECT: Application No. 22-25058 from Park Event Services LLC, dba Park Event Services LLC, for a Special General license from 3:00 p.m. to 10:30 p.m. on Saturday, July 23, 2022, at 1 Aloha Tower Drive, Honolulu, (Aloha Tower Marketplace) for a private graduation party

COMPANY STRUCTURE:

PARK EVENT SERVICES LLC: formed under the laws of the State of Hawaii on June 24, 2021, as a member-managed limited liability company. The members are:

	<u>Title</u>	<u>Percentage</u>
Raymond Ho Jr.	Member	90%
Charles Jason Park	Member	10%
	Total	100%

CJIS Computer checks were negative for any felonies.

According to Notification of Authorized Agent, dated July 26, 2021, Charles Jason Park, Member-Manager of Park Event Services LLC, authorizes Devon Nekoba to serve as an authorized agent for the company before the Liquor Commission.

Authorized Agent Nekoba requested to use current information on file within two years of filing.

FINGERPRINTS:

Charles Park and Raymond Ho Jr., were fingerprinted on August 12, 2021. FBI/HCJDC checks were negative for any felony convictions.

DESCRIPTION OF PREMISES:

Details of Premises: The proposed licensed premises will be in the outdoor common area space, on 2nd floor, in the Sunset Ballroom and lanai located on the southeast end of the Aloha Tower Marketplace/Hawaii Pacific University.

The overall dimensions reported by the applicant proposed to be licensed was 107 feet by 140 feet.

See Exhibit A.

REASON FOR APPLYING:

To allow for the sale and consumption of liquor for a private wedding party.

INVESTIGATION:

The event will be from 4:00 p.m. to 11:00 p.m. on Saturday, July 16, 2022.

Approximately **200** people are anticipated to attend the event.

The event will be invitation only. Liquor service will be hosted.

According to the applicant, the event will have **20-30** minors under the age of 21.

There will be background acoustical music.

Jason Park (ph: **808-688-9549**) will be the manager at the event.

According to the supplemental information form, the applicant will have approximately 5 security personnel.

For further details refer to **Exhibit B** for more details.

LANDLORD'S CONSENT:

According to Landlord Authorization, received by the Commission on May 31, 2022, Hawaii Lifestyle Properties LLC by Hawaii Pacific University, (David Kostecki) authorizes Applicant to sell and serve liquor at the subject premises for the event on Saturday, July 23, 2022, from 3:00 p.m. to 10:30 p.m.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant must submit the signed certified mailing return receipt before a liquor license is issued.

ZONING CLEARANCE:

The applicant requested to use documents currently on file. Zoning Clearance currently is on file.

OPINION:

In my opinion, statutory requirements have been met.



DANIEL SATO
SUPERVISING INVESTIGATOR

REVIEWED BY:



PETER NAKAGAWA
CHIEF INVESTIGATOR

2/6/2016
wh

SUNSET BALLROOM
located 2nd floor above old Gordon Biersch

500 capacity

Approx. 10,225 sq ft

Security - HPU Campus Security
(unless specified by venue management)

Flooring layout of tables and chairs will vary
pending on event type and expected attendance.

Red Line Indicates Permitted License Area

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C&C OF HONOLULU

2022 JUN 24 P 2: 41

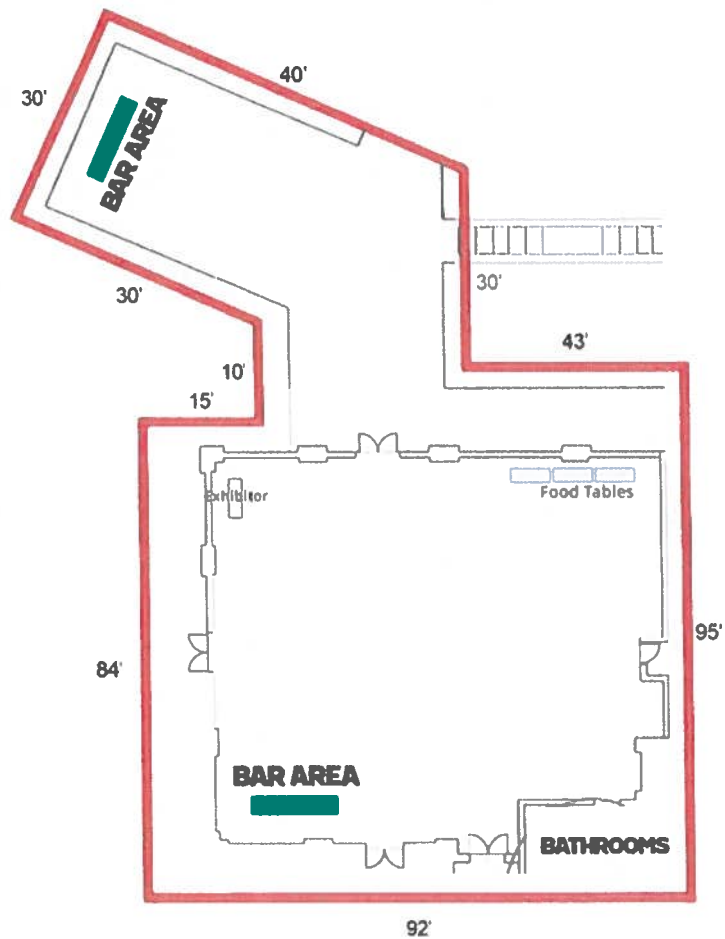


EXHIBIT A

Sato, Daniel T

From: Jay Park <[REDACTED]>
Sent: Thursday, June 30, 2022 11:15 AM
To: Sato, Daniel T
Cc: emmanuel [REDACTED] devon nekoba
Subject: Re: 22-25058 Park Event Services LLC Event 7/23/22
Attachments: Sunset Ballroom Layout (3).doc

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Aloha Mr. Sato, answers to your questions are below:

1. Type of Event? (Description of event) Private graduation celebration.
2. Is there any entertainment? (live or recorded music) Background acoustic / possibly a dj.
3. Location of entertainment? (open air, enclosed, etc.) Will staff be monitoring the sound levels? Enclosed In the sunset Ballroom. Staff will monitor sound.
4. Is there any other promoter involved? None, private party
5. Is there adequate restroom facilities for this event? Location of restrooms? Yes, two restrooms located on floor of Sunset Ballroom
6. Projected total amount of people attending the event? (What would be maximum expected?) 200 Max
7. Approximately how many minors or underage persons under 21 years would be in attendance? 20-30
8. Security company name and how many security personnel during the event? HPU Security 5 will be posted at the entrance and roving.
9. Any special duty law enforcement officers hired for this event? No
10. Security procedures? (Addressing the prevention of underage drinking, over consumption of liquor, disorderly persons, etc.) ID Checkers posted at the entrance, Security will be roving on-premise in ballroom. Wristbands will identify 21 & over. Park Event Services will work in tandem with HPU security to mitigate any issues. Any violation or underage drinking will result in the guest and guest's party being immediately escorted off HPU's property.
11. Will there be paramedics or medical services present at the event? No HPU Security is trained in first aid and can handle this crowd.
12. How many of your staff/managers will be on duty during event? Point of contact during the event? 3 staff (1 bartender / 1 bar back/ 1 manager)
13. How will area be controlled? (barricade, stanchions, etc.) Stanchions
14. Any other information you can provide to ensure that this event is coordinated and operated in a safe

manner. ID Checkers posted at entrance, Security will be roving on-premise. Wristbands will identify 21 & over. Park Event Services will work in tandem with HPU security to mitigate any issues. Any violation or underage drinking will result in the guest and guest's party being immediately escorted off HPU's property.

Thank you! Please let me know if you need any further information.

Jay Park

On Thu, Jun 30, 2022 at 10:57 AM Sato, Daniel T <dsato@honolulu.gov> wrote:

Mr. Zibakalam/Nekoba/Park,

The responses to your answers will be in connection with this special license application, which will be submitted to the Commission.

1. Type of Event? (Description of event)
2. Is there any entertainment? (live or recorded music)
3. Location of entertainment? (open air, enclosed, etc.) Will staff be monitoring the sound levels?
4. Is there any other promoter involved?
5. Is there adequate restroom facilities for this event? Location of restrooms?
6. Projected total amount of people attending the event? (What would be maximum expected?)
7. Approximately how many minors or underage persons under 21 years would be in attendance? (Estimated)
8. Security company name and how many security personnel during the event?
9. Any special duty law enforcement officers hired for this event?
10. Security procedures? (Addressing prevention of underage drinking, over consumption of liquor, disorderly persons, etc.)
11. Will there be paramedics or medical services present at the event?
12. How many of your staff/managers will be on duty during event? Point of contact during the event?
13. How will area be controlled? (barricade, stanchions, etc.)
14. Any other information you can provide to ensure that this event is coordinated and operated in a safe manner.

Daniel Sato

Supervising Investigator

City and County of Honolulu

Honolulu Liquor Commission, Licensing Section

711 Kapiolani Boulevard Suite 600

Honolulu, HI 96813

Direct: 808-768-7340

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--

Jay Park

Park Communications

(808) 508-9510



**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5242
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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2022 JUN 24 P 2:41

**SUPPLEMENTAL INFORMATION for
SPECIAL & CATERING LIQUOR LICENSE APPLICATION**

For Special License:

Up to three (3) event days per application. Application(s) must be submitted a minimum of six (6) weeks prior to event.

For Catering License:

For Restaurant and Hotel Licensees only. Application must be submitted a minimum of three (3) weeks prior to event.

6/7/2022

Today's Date: _____

Licensee Name: Park Event Services LLC Liquor License #: _____

Licensee Contact Name: Jason Park Title: Partner

Caterer Only: Name of Registered Manager on Duty at Event: _____

Manager on Duty Phone: (808) [REDACTED] Manager on Duty Email: [REDACTED]

Event Start Date & Time: 7/23/2022 4:5pm Event End Date & Time: 7/23/2022 11:59pm clean up

Description of Event: Private Graduation Party

Name of Event Promoter: Amanda Matthews - HPU Event Coordinator

Event Coordinator Phone: [REDACTED] Event Coordinator Email: [REDACTED]

Reason for applying for the Special or Catering License: Providing beverage service to event.

Type of license exercised on previous occasions, if any; number of times approved; when, where and whether or not license was exercised without incident. Private Graduation Party Held On June 3, 2022 - Sunset Ballroom

How will liquor be dispensed?

☐ Host or ☒ No-Host

Regarding Drinks:

Beer, Wine, Water, Soda


a. Type of drinks to be served (including soft drinks): _____

b. Type of payment (cash or script): Cash & Credit Card (Square)

c. Type of serving container (disposable cup, glass, etc.): Cups

d. Who and how many people will be dispensing the liquor? (applicant's employees, other people?): Freelance bartenders (all carry liquor cards)

☐ Attach list of names and titles of people dispensing liquor.

Attendance & Admission:Approximate number of people expected to attend event: 200 Will anyone under 21 years of age attend? yesCheck One: ☐ Event Open to Public ☒ By Invitation OnlyWill there be an admission charge? no If yes, what is the admission ticket price? N/ATickets will be sold ☐ In Advance ☐ At the Door**Entertainment:**a. Describe type of entertainment (live or recorded) Background pre recorded musicb. Name of Group performing: n/ac. Number of Performers ☐ Attach list of names, ages and parental approval documents for all performers under 18 years of age.d. Describe where on the premises the entertainment will take place: Aloha Tower Sunset balroom & Lanaie. Hours of entertainment, provide start and end times: **Security will be provided by:**a. Name of Agency: HPU Security - Chris Martin (808)544-1400b. Number of Security Personnel: 5 (HPU)c. Other Security Information: Posted at bar checking id's and roving to discourage under age drinking**For Catering License Only:**Will wholesale liquor be delivered to the catered site? ☐ Yes ☐ NoWho is hiring applicant to cater food and liquor? Name of Outside Promoter (if any): 
SIGNATURE Licensee (Owner) / Authorized AgentJason Park

PRINT Licensee (Owner) / Authorized Agent

6/7/2022

Date

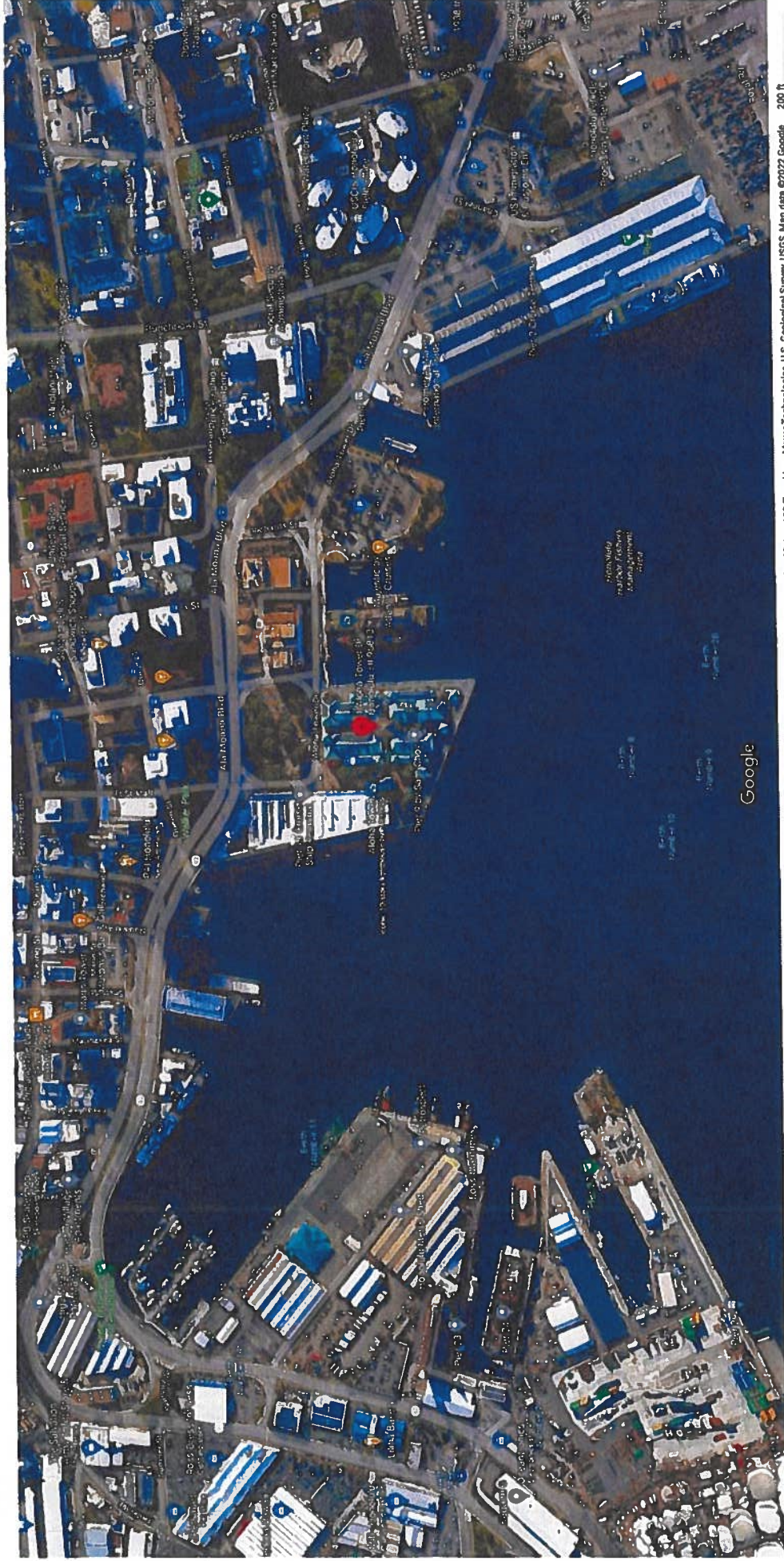
Partner

Title

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (Form# LIQ-LIC-106), signed by the Director.

OFFICE USE:Effective Date/Time From: To: ☐ Approved ☐ Denied ☐ ReferredLCIS ENTRY DATE: HLC STAFF Initial: Franklin "Don" Pacarro, Jr.
Administrator

Date



Imagery ©2022 Google, Imagery ©2022 OpenCity 3D, Inc. / 3D Travel Inc., Map data ©2022 Google 200 ft

Measure distance
Total distance: 608.17 ft (185.37 m)

LICENSING INVESTIGATIVE REPORT

DATE: July 6, 2022

SUBJECT: Application No. 22-24064 from Flavors of Italy, LLC dba Flavors of Italy Wholesale General license located at 875 Waimanu St. Suite 317 Honolulu, HI 96813 for a change of location to 978 Kawaiahao St. Honolulu, HI 96814 (C0113)

COMPANY STRUCTURE:

Flavors of Italy, LLC: was organized under the laws of the State of Hawaii on May 23, 2005, as a Manager – Managed Limited Liability Company. The sole Member/ Manager is:

	<u>Title</u>	<u>Ownership:</u>
<u>Desiree Loperfido</u>	<u>Manager/ Member</u>	<u>100%</u>
		100%

See **Exhibit A** for Personal History Affidavit. CJIS computer check shows negative felony conviction.

FINGERPRINTS:

Desiree Loperfido was fingerprinted on January 31, 2022. HCJDC/ FBI checks show negative for felony convictions.

FINANCIAL STATEMENT FOR FLAVORS OF ITALY, LLC AS OF NOVEMBER 1, 2021:

Applicant submitted a Financial Statement dated November 10, 2021, and received by the Commission November 16, 2021, and was certified by the applicant to be substantially correct.

COST AND FINANCING:

According to Seth Buckley, Authorized agent, this is an existing business with an active bank account containing \$75,000.00 in its business checking account and \$91,000.00 in accounts receivable.

TRADE NAME:

The applicant has filed with the State of Hawaii Department of Commerce and Consumer Affairs, Form T-1, Application for Registration of Trade Name. The name "Flavors of Italy" is registered to the applicant from April 22, 2021 till April 21, 2026.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 978 Kawaiahao St. Honolulu, HI 96814. The proposed licensed premises is rectangle in shape and is approximately 50ft x 92ft (4600 square feet).

- Ground floor total area of 2650 sq. ft.
 - One office approximately 27ft x 15ft
- Second floor total area of 4600 sq. ft.
 - Storage area 44 ½ft x 50ft
 - Storage area 48ft x 50ft

See **Exhibit B** for floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Mckinley High School
1039 S. King St. Honolulu, HI 96814
Approximately 480 feet from the proposed premises

SAME CLASS OF LICENSE WITHIN 500 FEET:

None.

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of July 6, 2022, there are 27 Wholesale licenses issued within the City and County of Honolulu, of which 25 licenses are General/ kind.

**OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE:**

Kind of Business:

- Applicant is currently a Wholesale licensee
- Hours of Operation: 8:30 am to 4:30 pm (Monday thru Friday)
- Applicant will employ 4 employees

Commercial Lease: Effective and dated October 1, 2021, between Bank of Hawaii Successor Trustee under Vera Usheroff Eber Revocable Living Trust Agreement (Landlord) and Flavors of Italy (Tenant).

Term: Commencing on September 30, 2021 and ending August 31, 2026. With one (1) option to extend to August 31, 2026.

Use: Warehousing of beer, wine, and liquor for a wholesale distribution business.

Federal Basic Permit: Pending submission of new permit due to change of location.

REASON FOR CHANGE OF LOCATION:

According to Buckley, the reason for the change in location is cheaper rent and more square footage to increase inventory and better access to location.

OTHER LIQUOR LICENSE INTERESTS:

Flavors of Italy, LLC dba Flavors of Italy (C0104/ Canceled Voluntary)
Whole sale Beer & Wine license at 2815 Koapaka St. Honolulu, HI 96819.
Desiree Loperfido sole Manager/ Member with 100% interest.

Flavors of Italy, LLC dba Flavors of Italy (C0113/ Active) Wholesale
General license at 875 Waimanu St. Suite 317 Honolulu, HI 96819.
Desiree Loperfido sole Manager with 100% interest.

**HISTORY OF VIOLATIONS OF OTHER LIQUOR LICENSE INTEREST DURING
THE PERIOD OWNED OR OPERATED BY THE PRINCIPALS:**

None.

ZONING CLEARANCE:

A valid request for zoning clearance from Hawaii Community Development Authority dated November 16, 2021 was received by the commission on November 26, 2021. HCDA Zoning in Central Kakaako (CK) for the purposed use of a **Wholesale/ Warehouse**.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of July 6, 2022, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

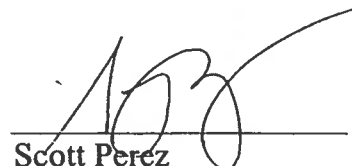
Applicant has met the minimum requirements for this request.

Reviewed by:



Daniel Sato
Supervising Investigator

7/14/2022
ch


Scott Perez
Licensing Investigator

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
 INTERNET ADDRESS: www.honolulu.gov/lq

RECEIVED
 LIQUOR COMMISSION
 C&C OF HONOLULU

2021 10/16 AM 10:54

PERSONAL HISTORY & AFFIDAVIT (PHA)

Rule 3-83-53.1

NAME LOPERIDO DESIREE SUEKO KANAE SOCIAL SECURITY NO. [REDACTED]
 (Last, First Middle Maiden)
 RESIDENTIAL ADDRESS [REDACTED] APT. NO. [REDACTED]
 CITY [REDACTED] STATE [REDACTED] ZIP CODE [REDACTED]
 BUS. PH [REDACTED] MOBILE PH [REDACTED] EMAIL [REDACTED]
 PLACE OF BIRTH [REDACTED] DATE OF BIRTH [REDACTED] AGE [REDACTED] MARITAL STATUS [REDACTED]
 (City, State) (MM/DD/YYYY)
 NO. OF YEARS COMPLETED IN HIGH SCHOOL 12th YEAR COMPLETED 1987
 NAME OF HIGH SCHOOL NANAKULI HIGH WAIANAE HI
 (include City and State)
 NO. OF YEARS COMPLETED IN COLLEGE / YEAR COMPLETED /
 NAME OF COLLEGE _____
 (include City and State)
 OTHER EDUCATION / YEAR(S) ATTENDED _____
 CITIZENSHIP* USA DATE ARRIVED IN HAWAII (if applicable) _____
 *If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.

EMPLOYMENT RECORD (from the time school was completed to present; also indicate any periods of unemployment):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
JAN/2005	PRESENT	OWNER	FLAVORS OF ITALY	Honolulu
SEPT/1999	DEC./2004	MANAGER	DONATUS REST.	Honolulu
AUG/1989	FEB/1998	WAITRESS	NICK'S Fishmarket	Honolulu

(If additional space is needed, please attach a separate sheet)

EXHIBIT A

NOTARY INITIAL: _____

List your experience in the liquor industry: CURRENT OWNER AND OPERATOR OF
FLAVORS OF ITALY LLC DISTRIBUTION OF WINES & SPIRITS . 16 YRS.
GENERAL MGR. DONATO'S RESTAURANT (10 YRS)
COCKTAIL WAITRESS AT NICKS FISH MARKET (10 PLUS YRS)

Will you devote time to manage the subject business? ☒ YES ☐ NO

If answer is "YES", will it be ☒ FULL TIME, or ☐ PART-TIME?

I, DESIREE S. LOPERFIDO, of _____

(Print Applicant's Full Name)

(Residential Address, City, State, Zip Code)

being first duly sworn, deposes, and says, that the above information is true and correct and that I
(☐ have or ☒ have not) been convicted of any felony charge.

Signature



STATE OF HAWAII
City and County of Honolulu

SS.

On this 15th day of November, in the year of 2021, personally appeared
DESIREE S LOPERFIDO

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Subscribed and sworn to before me this:
15th
16th day of November, 20 21

Print Name: ESTELA A PAGDILAO
Notary Public, State of Hawaii

My commission expires January 25, 2024

(Place Notary Stamp or Seal here)

ESTELA A PAGDILAO
NOTARY PUBLIC
No. 04-34
STATE OF HAWAII

NOTARY CERTIFICATION

Date of Doc: 11/15/2021 # of Pages: 2

Notary Name: ESTELA A PAGDILAO Circuit

Doc. Description: Personal History & Affidavit (PHA)

11-15-2021
Date

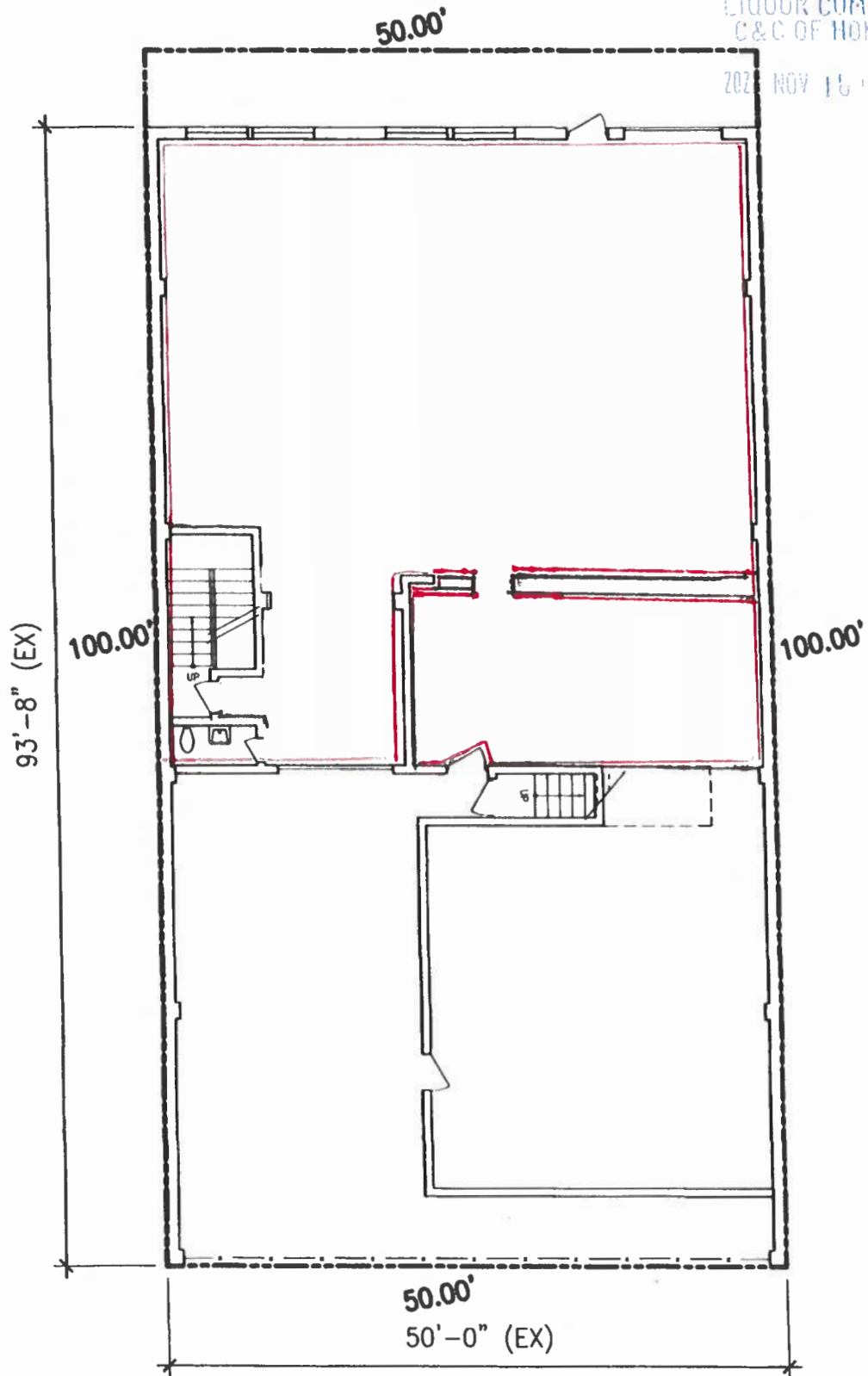
(Place Notary Stamp or Seal here)

ESTELA A PAGDILAO
NOTARY PUBLIC
No. 04-34
STATE OF HAWAII

EXHIBIT A

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

202 NOV 16 11:54



ARCADIA
ARCHITECTURE
INC.

600 KAPOLAHU BLVD., SUITE 410 HONOLULU, HI 96813
TEL: 808-521-0713 FAX: 808-521-0714

© 2008 ARCADIA ARCHITECTURE - ALL RIGHTS RESERVED

978 KAWAIAHAO STREET
HONOLULU HAWAII 96814

GROUND FLOOR PLAN (4,683.50 gsf) - scale : 1/8" = 1'-0"

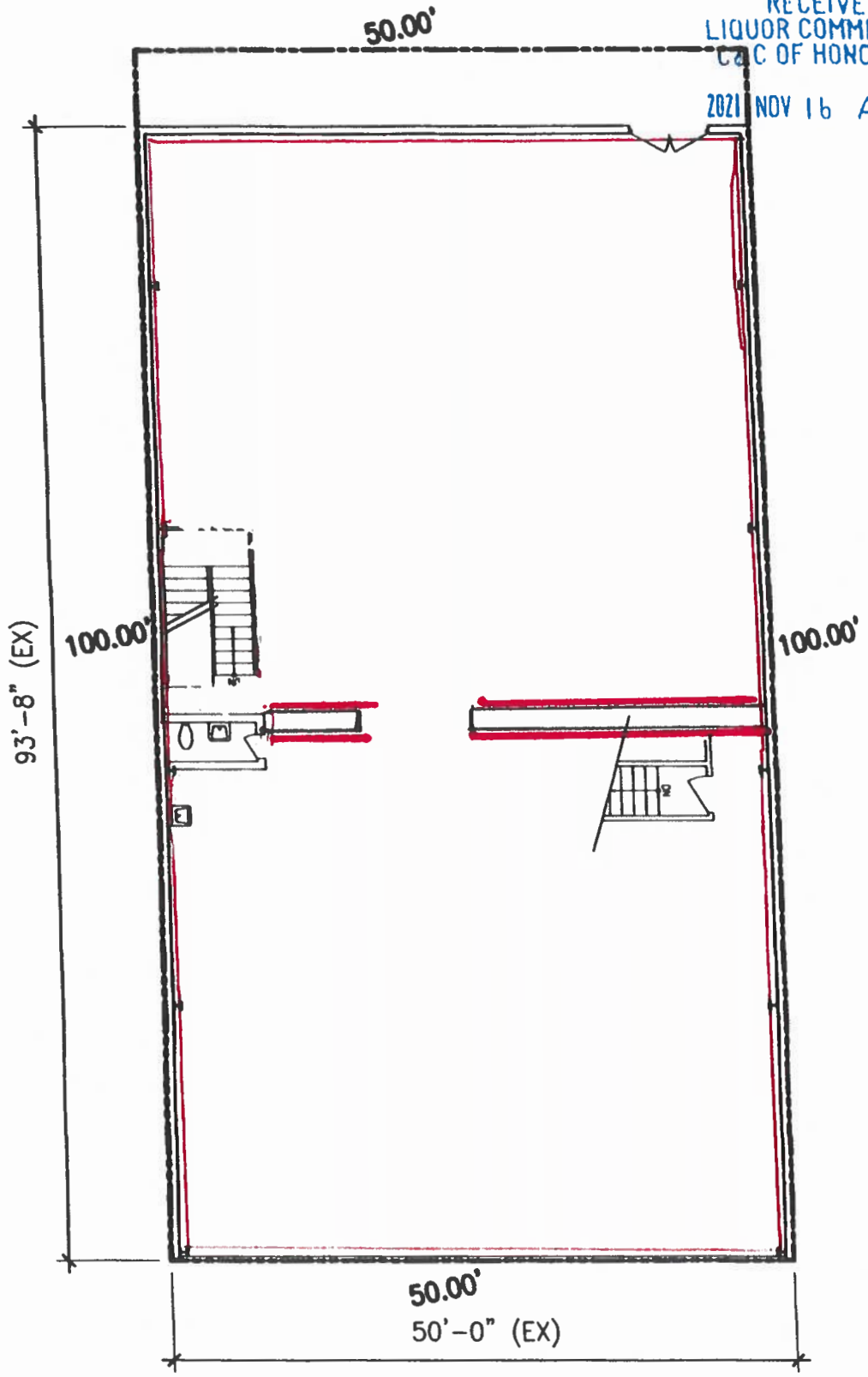
EXHIBIT B

AA JOB NO.
NB01

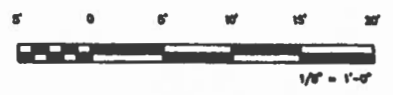
SHEET

FP-01
OF

RECEIVED
LIQUOR COMMISSION
CITY OF HONOLULU
2021 NOV 16 A 10:54



KAWAIAHAO STREET



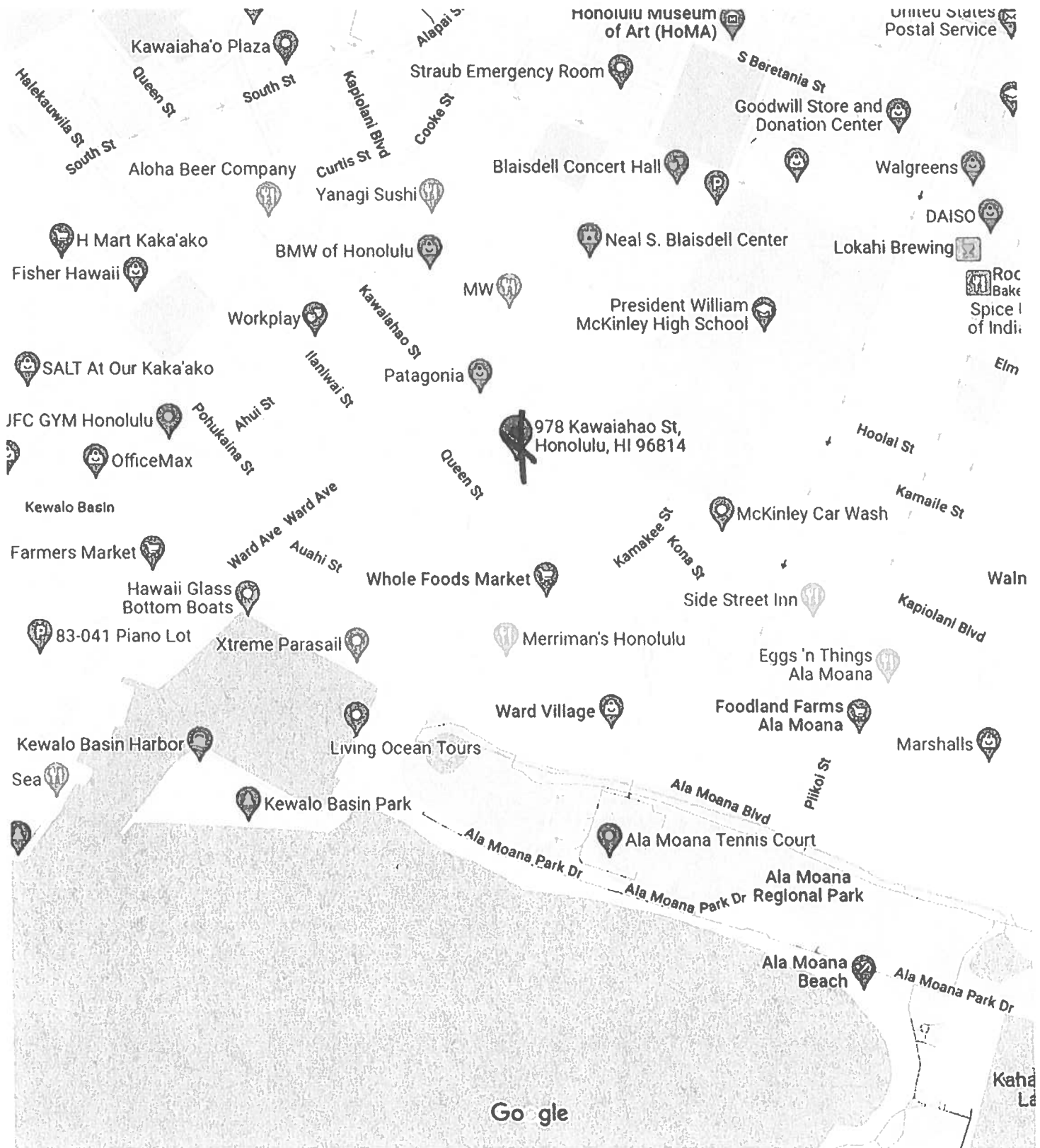
ARCADIA ARCHITECTURE INC.
100 KAPLAN BLVD. SUITE 400 HONOLULU, HI 96813
 TEL: 808-551-1111 FAX: 808-551-1112
 © 2021 ARCADIA ARCHITECTURE - ALL RIGHTS RESERVED

978 KAWAIAHAO STREET
HONOLULU HAWAII 96814
 SECOND FLOOR PLAN (4,683.50 gsf) - scale : 1/8" = 1'-0"

EXHIBIT B

AA JOB NO.
NB01
 SHEET
FP-02
 OF

978 Kawaiahao St



Map data ©2022 Google 500 ft

LICENSING INVESTIGATIVE REPORT

DATE: June 30, 2022

SUBJECT: New Application #22-24794 from 41 Home Made, Inc., dba Asahi Grill for a Restaurant General (Category: 2 Music/Dancing license) at the former location of Restaurant One Inc., dba Tokoname Sushi Restaurant, at 3008 Waiialae Avenue, Honolulu, R0917 (Not Renewed)

CORPORATION STRUCTURE:

41 HOME MADE, INC.: incorporated under the laws of the State of Hawaii on July 24, 2019. The corporation currently is authorized to issue 10,000 shares, of which all 10,000 shares are currently outstanding and issued.

The officers/directors/stockholder are:

	Title	Shares	Interest
Yoshinori Ohmori	P/D	10,000	100%
Naoko Miura	VP/S/T/D	-0-	0%
Total 10,000			100%

For further details of the principals, see **Exhibits A1-A2**. CJIS Computer were negative for any felonies.

FINGERPRINTS:

Yoshinori Ohmori was fingerprinted on November 18, 2020, and was negative for any felony convictions.

Naoko Miura was fingerprinted on October 8, 2020, and was negative for any felony convictions.

Clearances issued as a result of these fingerprintings shall be valid for license application or reapplication for up to two (2) years from the clearance date.

AUTHORIZED AGENT:

41 Home Made Inc., dba Asahi Grill's, Secretary/Director Naoko Miura signed an authorized agent form authorizing Attorney Wayne Luke, to act as an authorized agent for 41 Home Made Inc., for a period of one (1) year from May 1, 2022.

FINANCIAL STATEMENT OF 41 HOME MADE, INC, AS OF DECEMBER 31, 2021:

Financial Statement dated May 3, 2022, was submitted to the Commission and certified by the applicant to be substantially correct, as of December 31, 2021. Financial statement was received by the Commission of May 3, 2022.

COST AND FINANCING:

According to authorized agent Wayne Luke, the cost was reported to be \$25,000.00 to \$30,000.00. Additionally the applicant was in business at the former Asahi Grill located at 815 Keeaumoku Street, J-104, Honolulu. Applicant was reported to have funds available to sustain six (6) months of operation.

STAND-ALONE TEMPORARY LICENSE APPLICATION FILED:

The applicant filed a Stand-Alone Temporary Application #22-24793, on May 3, 2022.

TRADE NAME:

The applicant must submit a State of Hawaii Department of Commerce and Consumer Affairs Assignment of Trade Name for "Asahi Grill" prior to the issuance of the liquor license.

BACKGROUND:

The proposed licensed premises is located at the former location of Restaurant One Inc., dba Tokoname Sushi Restaurant, Restaurant General Category 2: Music/Dancing license. The former license was in effect June 3, 2010, until May 29, 2018. (not renewed).

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is reported to be located at 3008 Waialae Avenue, Honolulu, at the former Tokoname Sushi Restaurant.

- The irregular shaped size of the restaurant is approximately 52 feet by 40 feet (overall). According to the lease, the proposed premises is approximately 2,550 square feet.
- There are four (4) dining areas within the proposed premises.
- The bar area is approximately 16 feet by 12 feet.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES (CONTINUED):

- Restrooms located within the premises.

See **EXHIBIT B** for floor plan.

Parking: There are parking stalls on the side of the proposed premises.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

There is no known church, school, or playground within 500 feet, from the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET:

OMG-Kamuki LLC
dba Oahu Mexican Grill (R1392)
3036 Waialae Avenue B3, Honolulu.
Approximately 260 feet from the proposed licensed premises.

OMAKASE LLC
dba Hihimanu Sushi (R1369)
3040 Waialae Avenue Suite A-2, Honolulu.
Approximately 265 feet from the proposed premises.

The Ripple of Smiles LLC
dba The Ripple of Smiles LLC (R1373)
3040 Waialae Avenue A-1, Honolulu.
Approximately 265 feet from the proposed premises.

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of June 23, 2022, there are 555 Restaurant licenses issued within the City and County of Honolulu, of which 516 are of the General kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Applicant intends to operate similar to the former Asahi Grill Restaurant.
- Hours of Operation: Daily 8:00 a.m. till 2:00 p.m. and 5:00 p.m. to 9:00 p.m. (except Wednesday)
- Approximately 12 employees. Three (3) Managers.
- Business plan See **Exhibit C** for more details.

**OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE (CONTINUED):**

Lease: According to a document titled, "Lease", between LL Chan Limited Partnership (Lessor) and 41 Home Made Inc., dba Asahi Grill as (Lessee) the use of the premises for a restaurant or bar is authorized on the premises, effective April 1, 2022.

Term: The term of the lease will be five (5) years commencing on April 1, 2022, (Commencement Date) and expiring on March 31, 2027. The lessee will have the option to have renew the lease for one (1) period of five (5) years.

OTHER LIQUOR LICENSE INTERESTS:

Yoshinori Ohmori and Naoko Miura was principals for 41 Home Made Inc. dba Asahi Grill located at 815 Keeaumoku Street Bldg. J-104, which exercised a Restaurant General Category 1: Standard license from October 26, 2020, till June 16, 2022. R0969 (canceled voluntary).

**HISTORY OF VIOLATIONS FOR OTHER LIQUOR LICENSED INTERESTS
DURING THE PERIOD OWNER OR OPERATED BY THE PRINCIPALS:**

The applicant has two (2) pending violations for the previous licensed premises located at 815 Keeaumoku Street Bldg. J-104, under license R0969. See **Exhibit D** for further details.

ZONING CLEARANCE:

An approved zoning clearance is pending and must be received prior to issuance of any permanent license.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of June 30, 2022, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

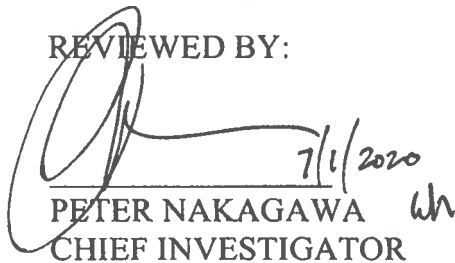
OPINION:

It appears that the applicant has met statutory requirements of this application.



DANIEL SATO
SUPERVISING INVESTIGATOR

REVIEWED BY:



7/1/2020
PETER NAKAGAWA
CHIEF INVESTIGATOR

2022 MAY -3 P 3: 49

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

EMPLOYMENT RECORD (from the time school was completed to present):

(If additional space is needed, please use reverse side)

EXHIBIT A-1

PN

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

List your experience in the liquor industry: Nox

2022 MAY -3 P 3:49

Will you devote time to manage the subject business? Yes ☒ No

If answer is "YES", will it be Full time, or Part-time?

I, Yoshinori Ohmori

of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have ☒ have not been convicted of any felony charge.

Signature

P
R
I
A



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this day of in the year of personally appeared who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free and clear.

<p>Signature of applicant(s) before Notary</p> <p>Subscribed and sworn to before me this:</p> <p><u>day of</u> <u>, 20</u></p> <p>Signature of Notary</p> <p>Print Name:</p> <p>Notary Public, State of Hawaii</p> <p>My commission expires</p> <p>(Place Notary Stamp or Seal here)</p>	<p>NOTARY CERTIFICATION</p> <p>Date of Doc: <u> </u> # of Pages: <u> </u></p> <p>Notary Name: <u> </u> Circuit: <u> </u></p> <p>Doc. Description: <u> </u></p> <p>Notary Signature <u> </u> Date <u> </u></p> <p>(Place Notary Stamp or Seal here)</p>
--	---

LIQUOR COMMISSION
 CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5248
 PHONE (808) 768-7300 • EMAIL HL@honolulu.gov
 INTERNET ADDRESS www.honolulu.gov/liq

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 LIQUOR COMMISSION
 C&C OF HONOLULU

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

MAY -3 P 3:49

NAME Miura
 (Last)

Naok o
 First

Middle

Maiden)

SOCIAL
 SECURITY NO

RESIDENTIAL ADDRESS

APT NO

CITY

STATE

ZIP CODE

BUS. PH (808) 953-4703

MOBILE PH ()

None

EMAIL

PLACE
 OF BIRTH

(City State)

DATE
 OF BIRTH

(MM / DD / YYYY)

AGE

NO. OF YEARS COMPLETED IN HIGH SCHOOL 3

YEAR COMPLETED 1991

NAME OF HIGH SCHOOL Shibata High school Niihata, Japan

(include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 5

YEAR COMPLETED 1996

NAME OF COLLEGE Kanto Gakuin University Yokohama, Japan

(include City and State)

OTHER EDUCATION / YEAR(S) ATTENDED

N/A

CITIZENSHIP*

DATE ARRIVED IN
 HAWAII (if applicable) 2008

*If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No. or Immigration Department No.

EMPLOYMENT RECORD (from the time school was completed to present, also indicate any periods of unemployment)

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1996/4	2000 /12	TV announcer /Reporter	Niigata TV/ Nihon TV	Niigata /Tokyo , Japan
2001/1	2008/06	Run dental office	Miura Dental clinic	Yokohama ,Japan
2008/9	2016/3	Real estate agnt	Locations / Sachi hawaii	Honolulu
2016/4	Present	Real Estate broker	Live Love Hawaii/ House Plus	Honolulu

(If additional space is needed, please attach a separate sheet)

NOTARY INITIAL

List your experience in the liquor industry: NoneRECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAY - 3 P 3:49

Will you devote time to manage the subject business?

☐ YES ☒ NOIf answer is "YES", will it be ☐ FULL TIME, or ☐ PART-TIME?I, Naoko Miura

(Print Applicant's Full Name)

being first duly sworn, deposes, and says, that the above information is true and correct and that I
(☐ have or ☒ have not) been convicted of any felony charge.

Signature

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 2nd day of May, in the year of 2022, personally appearedNAOKO MIURA

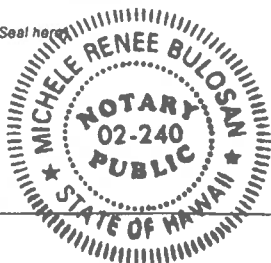
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Subscribed and sworn to before me this:

2nd day of May, 2022Print Name
Notary Public, State of HawaiiMICHELE RENEE BULOSAN
Expiration Date: June 2, 2022

My commission expires

(Place Notary Stamp or Seal here)



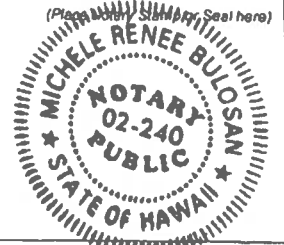
NOTARY CERTIFICATION

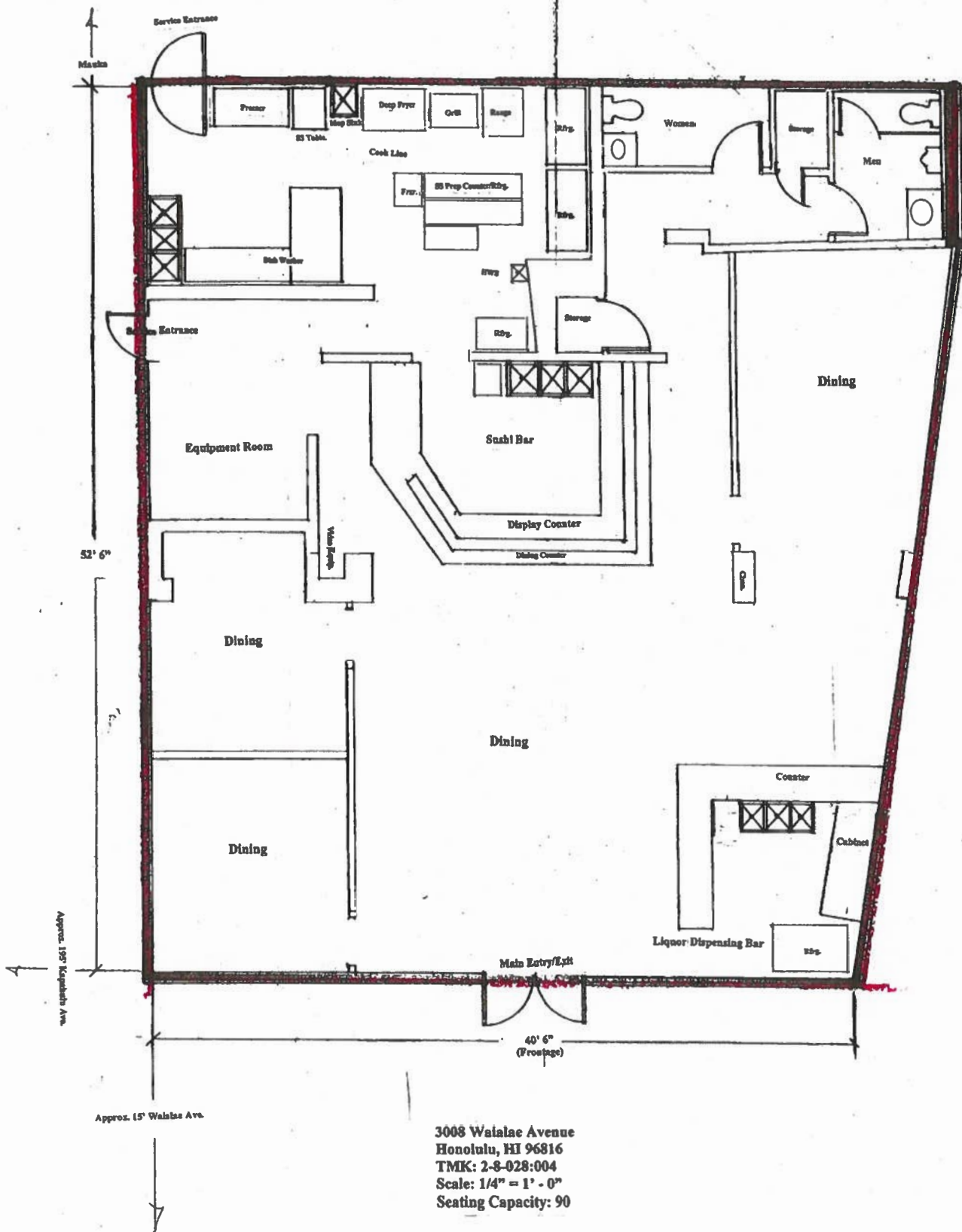
Date of Doc MAY 02 2022 # of Pages 2
Notary Name Michele Renee Bulosan 1st Circuit
Doc Description Personal History and AffidavitMICHELE RENEE BULOSAN
Expiration Date: June 2, 2022

MAY 02 2022

Date

(Place Notary Stamp or Seal here)





RECEIVED
 LIQUOR COMMISSION
 C&C OF HONOLULU
 2022 MAY -3 P 3:49
 -JULY- CREDIT SUIT
 -C&C- HONOLULU
 2019 OCT 28 A 11:00

EXHIBIT B

30% Justification

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAY -31 P 3: 52

The Applicant operated Asahi Grill on Keeaumoku Street for over two years.

Daily sales during this period will reveal that liquor sales never came close to exceeding food sales.

Applicant will operate the new premises in the same manner.

Respectfully submitted.


Wayne Luke
Attorney for Applicant

5-3-2022

EXHIBIT C

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: R0969

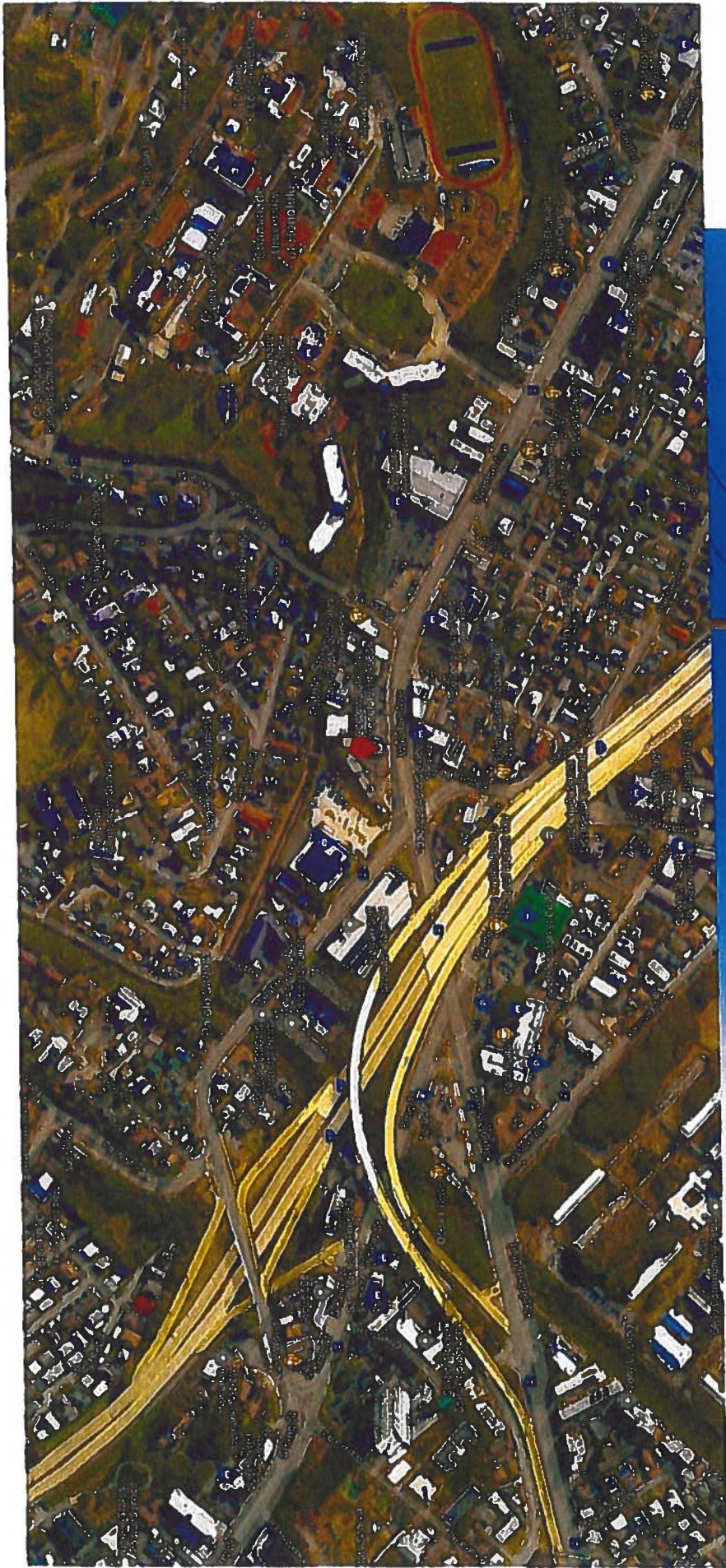
ASAHI GRILL

815 KEEAUMOKU ST, BLDG J-104

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
VIOLATION	28406	07/10/2021	3-82-38.9(a)	2021-0233			
VIOLATION	28407	07/10/2021	3-82-31.4(c)	2021-0233			
VIOLATION	28533	02/05/2020	281-41(h)	2022-0080			
WARNING	24226	12/11/2014	3-81-17.54(d)				*
WARNING	24233	07/30/2013	3-81-17.56				*

Records printed: 5

EXHIBIT D



LICENSING INVESTIGATIVE REPORT

DATE: July 5, 2022

SUBJECT: Catering Application #22-25038 Sodexo America, LLC,
dba Sodexo America LLC, (Restaurant/General/Category 2, Live
Entertainment/Dancing) license, 777 Ward Avenue, Honolulu,
requesting permission to cater to 2805 Monsarrat Avenue,
(Waikiki Shell) for two (2) days:
Friday, July 29, 2022, from 2:00 p.m. till 10:00 p.m.
Saturday, July 30, 2022, from 2:00 p.m. till 10:30 p.m.
for the Benefit for Kokua Foundation (R1124)

REQUEST TO CATER:

According HLC Form LIQ-LIC-101, Justin Solusod, Manager of
Sodexo America, LLC, requests permission to cater food and liquor to
2805 Monsarrat Avenue (Waikiki Shell), Honolulu.

INVESTIGATION:

The applicant has a liquor license at 777 Ward Avenue, Honolulu and
proposes to cater food and liquor to a commercial space located at 2805
Monsarrat Avenue (Waikiki Shell), Honolulu.

The applicant is requesting catering for:
Friday, July 29, 2022, from 2:00 p.m. till 10:00 p.m.
Saturday, July 30, 2022, from 2:00 p.m. till 10:30 p.m.

The event will be for the Benefit for Kokua Foundation- Jack Johnson

It will be open to public, and of **all ages**.

Estimated people attending this event: **6000-7000**.

The licensee will not have wholesale delivery to the catered site.

Applicant (Sodexo) will have approximately (5-10 Licensee
Employees) will be present.

INVESTIGATION:

Sodexo/KT Security will have security approximately (20-25 persons).

Honolulu Police Special Duty Requested: 6 to 10 (2 Sgt. or Higher Rank).

Sodexo Security Plan attached, see **Exhibit A** for details of the events.
Catering Supplemental Information attached, see **Exhibit B**.

LETTER OF AUTHORIZATION:

According to HLC Form LIQ-LIC-142, (Landlord Authorization for Sale and Service of Liquor) dated June 27, 2022, and received by the Commission on the June 27, 2022, from Mary Lewis, (Event and Services Administrator) of the City and County of Honolulu Department of Enterprise Services, gives authorization to Sodexo America, LLC, dba Sodexo America, LLC, to make use of its property and allow the premises to operate under a catering license.

Landlord (City and County of Honolulu, Department of Enterprise Services), further authorizes Honolulu Liquor Commission Investigators to inspect the property, in the areas licensed to the applicant for the duration of Concession agreement.

In addition, consent is given for investigators of the Liquor Commission to conduct inspections on the premises during the event.

LICENSED AREA:

See **Exhibit C**.

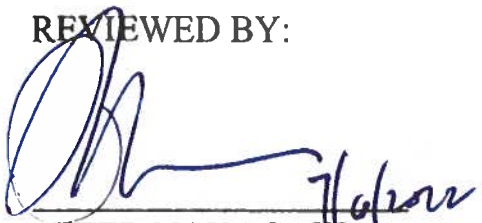
OPINION:

In my opinion, this application has met statutory requirements of filing this request.



DANIEL SATO
SUPERVISING INVESTIGATOR

REVIEWED BY:



PETER NAKAGAWA
CHIEF INVESTIGATOR

7/6/2022
ah



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2022 JUN 27 P 2:25

06/21/2022

Sodexo America, LLC –SECURITY PLAN

The following is a Sodexo Alcohol Service Security Plan for the Jack Johnson-Foundation for the KOKUA FOUNDATION concert to be held at the Waikiki Shell on June 29 and 30, 2022. This event features live music acts per night with the audience projected to be within their 30's to early 70's demographic. Attendance for the event is estimated to have up to 7000 guests per day. We will be focusing our attention to prevent consumption of alcohol to those not legally allowed to, including underage and over intoxicated individuals. We will ensuring that individuals are properly identified to legally possess and consume alcohol, and prevent smoking/vaping in the licensed areas that are not part of the park's smoking sections.

- Sodexo policy is anyone without a wristband issued by a Sodexo ID Checker will not be served an alcoholic beverage; all patrons desiring to consume alcohol must be issued a wrist band after proper identification is produced and verified by the Sodexo ID Checker.
- Any person found to be over intoxicated will not be served alcohol and will be taken to the venue security/HPD to be processed up to and including removal from the premise.
- Persons violating any Honolulu Liquor Commission Rules/laws will be subject to ejection/removal from the event/premise.
- ID Checkers will be present at each sale point and/or entry point and will be situated to properly identify and issue bands to consumers of alcohol.
- Sodexo Security officer will be present around and within the licensed areas checking on all alcohol points of sale, looking for intoxicated individuals, ensuring that all alcohol consumers are properly banded, and enforcing no smoking/vaping with in the licensed area, and other areas around the venue when possible.
- A Sodexo Security Manager or designated Sodexo Manage will be on duty and present at this/ all events, responding to alcohol issues encountered and checking on all points of sale.
- Radio communication between Sodexo Security staff will be designated by location and areas.
- Radio communication between the venue and event security will be at the Sodexo Incident Command Center Located behind the Diamond Head Concessions Stand to ensure efficient communication between Sodexo, venue and promoter/security entities.

EXHIBIT A

Sato, Daniel T

From: Solusod, Justin [REDACTED]
Sent: Tuesday, July 5, 2022 10:17 PM
To: Sato, Daniel T
Subject: Re: 22-25038 Sodexo America, LLC 7/29 & 7/30 Waikiki Shell

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

1. Type of Event? (Description of event)
 - Fundraiser for Kokua Foundation featuring Jack Johnson
2. Is there any entertainment? (live or recorded music)
 - Live Music
3. Location of entertainment? (open air, enclosed, etc.) Will staff be monitoring the sound levels?
Live music from amphitheater. Dept. of enterprise services monitors DB levels from event.
4. Is there any other promoter involved?
 -
5. Is there adequate restroom facilities for this event? Location of restrooms?
 - 2 restrooms (each has multiple stalls 15-20+) which will be not in the licensed areas and monitored by ushers and security to ensure no alcoholic beverages enter those areas
6. Projected total amount of people attending the event? (What would be maximum?)
 - 6000-7000
7. Approximately how many minors or underage persons under 21 years would be in attendance? (Estimated)
 - 1/3 projected as this is a family friendly event featuring multiple food trucks/vendors and 5-10 merchandise vendors as well.
8. Security company name and how many security personnel during the event?
 - KT security will supplement our 15+ Sodexo liquor compliance officers and security. Will have 20+ total each day along with requests for 6-10 special duty HPD and crowd control security (normally 15-20 additional that's provided by the show/promoter)
9. Any special duty law enforcement officers hired for this event?
 - 6-10 HPD (2 Sgt. or higher) are requested. They have been at all our previous bigger shows with more than requested.
10. Security procedures? (Addressing prevention of underage drinking, over consumption of liquor, disorderly persons, etc.)
 - please see attached security plan. (I turned in with packet) I can email or drop off again if needed.
11. Will there be paramedics or medical services present at the event?
 - Yes. On-site Medic team and first aid tent will be stage right.
12. How many of your staff/managers will be on duty during event? Point of contact during the event?
 - There will be 2-3 managers (1 security mgr/Lead, 1 concessions manager/lead, 1 bar manager/lead) at any given time during the show.
13. How will area be controlled? (barricade, stanchions, etc.)
 - there will be barricades/stanchions that control lines and there will be a ID checker at every POS at the entrance to the line. There will also be a security/liquor compliance officer at each point to assist with ID checking and monitor any issues with over intoxication and prevent any underage issues.
14. Any other information you can provide to ensure that this event is coordinated and operated in a safe manner.
 - please see detailed security plan I submitted. Please advise if you have not received and I will get that over to you as soon as possible.

Thank you and if you have any other questions or concerns please feel free to contact me.

From: Sato, Daniel T <dsato@honolulu.gov>
Sent: Thursday, June 30, 2022 11:01 AM
To: Baugh, Patrick <[REDACTED]> Solusod, Justin <[REDACTED]>
Subject: 22-25038 Sodexo America, LLC 7/29 & 7/30 Waikiki Shell

External sender

Check the sender and the content are safe before clicking links or open attachments.

Messrs. Baugh, Solusod,

The responses to your answers will be in connection with this catering license application, which will be submitted to the Commission.

1. Type of Event? (Description of event)
2. Is there any entertainment? (live or recorded music)
3. Location of entertainment? (open air, enclosed, etc.) Will staff be monitoring the sound levels?
4. Is there any other promoter involved?
5. Is there adequate restroom facilities for this event? Location of restrooms?
6. Projected total amount of people attending the event? (What would be maximum?)
7. Approximately how many minors or underage persons under 21 years would be in attendance? (Estimated)
8. Security company name and how many security personnel during the event?
9. Any special duty law enforcement officers hired for this event?
10. Security procedures? (Addressing prevention of underage drinking, over consumption of liquor, disorderly persons, etc.)
11. Will there be paramedics or medical services present at the event?
12. How many of your staff/managers will be on duty during event? Point of contact during the event?
13. How will area be controlled? (barricade, stanchions, etc.)
14. Any other information you can provide to ensure that this event is coordinated and operated in a safe manner.

Daniel Sato
Supervising Investigator
City and County of Honolulu
Honolulu Liquor Commission, Licensing Section
711 Kapiolani Boulevard Suite 600
Honolulu, HI 96813
Direct: 808-768-7340

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LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL liq-licensing@honolulu.gov
 INTERNET ADDRESS: www.honolulu.gov/liq

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 LIQUOR COMMISSION
 C&C OF HONOLULU

SUPPLEMENTAL INFORMATION FOR SPECIAL & CATERING LIQUOR LICENSE APPLICATION

2022 JUN 22 P 9:28

For Special License:

Up to three (3) event days per application. Application(s) must be submitted a minimum of six (6) weeks prior to event.

For Catering License:

For Restaurant and Hotel Licensees only. Application must be submitted a minimum of three (3) weeks prior to event.

Today's Date: 06/21/2022

Licensee Name: SODEXO AMERICA, LLC Liquor License #: R1124

Licensee Contact Name: PATRICK BAUGH Title: GENERAL MANAGER

Caterer Only: Name of Registered Manager on Duty at Event: PATRICK BAUGH, JUSTIN SOLUSOD

Manager on Duty Phone: [REDACTED] Manager on Duty Email: [REDACTED]

Start Date & Time (include set-up time): 7/29/2022-200pm End Date & Time (include clean-up time): 7/30/2022-1000pm

Description of Event: BENEFIT FOR KOKUA FOUNDATION- JACK JOHNSON

Name of Event Promoter: BAMP PROJECT

Event Coordinator Phone: [REDACTED] Event Coordinator Email: [REDACTED]

Reason for applying for the Special or Catering License: TO SELL ALCOHOL, SPIRITS/ BEER & WINE. PREMISE IS NOT LICENSED

Type of license exercised on previous occasions, if any; number of times approved; when, where and whether or not license was exercised without incident. MULTIPLE LICENSE EXERCISED ON PREVIOUS OCCASIONS

MULTIPLE EVENTS WITHOUT INCIDENT. TWO (2) ADJUDICATED INCIDENTS ON 2017, FOUR (4) INCIDENTS ADJUDICATED ON 2018

How will liquor be dispensed?

☐ Host ☒ No-Host

Regarding Drinks:

a. Type of drinks to be served (including soft drinks): BOTTLED WATER & SODA, BEER, WINE, MIXED DRINKS/SPIRITS

b. Type of payment (cash or script): CASH OR CARD ONLY

c. Type of serving container (disposable cup, glass, etc.): BRANDED DISPOSABLE CUPS WITH SPECIFIC SIZES

d. Who and how many people will be dispensing the liquor? (applicant's employees, other people?): 5-10 EMP

LIQUOR TO BE POURED BY MULTIPLE SODEXO LICENSED YELLOW &/OR BLUE CARD HOLDERS, AND DESIGNATED LICENSEE STAFF APX 10

☐ Attach list of names and titles of people dispensing liquor.

Attendance & Admission:Approximate number of people expected to attend event: 300-700 Will anyone under 21 years of age attend? **YES**Check One: ☒ Event Open to Public ☐ By Invitation OnlyWill there be an admission charge? **YES** If yes, what is the admission ticket price? **\$40+**Tickets will be sold ☒ In Advance ☐ At the Door

2022 JUN 22 P 9:26

Entertainment:a. Describe type of entertainment (live or recorded): LIVE MUSICb. Name of Group performing: JACK JOHNSONc. Number of Performers: MULTIPLE☐ Attach list of names, ages and parental approval documents for all performers under 18 years of age.d. Describe where on the premises the entertainment will take place: MUSIC WILL BE ON THE MAIN STAGE OF THE WAKIKI SHELL OUT DOOR AMPHITHEATERe. Hours of entertainment, provide start and end times: 630PM-1000PM**Security will be provided by:**a. Name of Agency: SODEXO SECURITY, KT SERVICESb. Number of Security Personnel: SODEXO/KT SERVICES APX. 20-25c. Other Security Information: SEE ATTACHED SECURITY PLAN**For Catering License Only:**Will wholesale liquor be delivered to the catered site? ☐ Yes ☒ NoWho is hiring applicant to cater food and liquor? DEPARTMENT OF ENTERPRISE SERVICES OF CITY AND COUNTY OF HONOLULU

Name of Outside Promoter (if any): _____

SIGNATURE Licensee (Owner) / Authorized Agent

Justin Solusod

PRINT Licensee (Owner) / Authorized Agent

DATE

6.22.22Manager

TITLE

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (Form# LIQ-LIC-106), signed by the Director.

For HLC Office Use Only

Effective Date/Time

START: _____ a.m. / p.m.

☐ Approved☐ Denied☐ Referred

END: _____ a.m. / p.m.

HLC STAFF INITIAL: _____

LCIS ENTRY DATE: _____

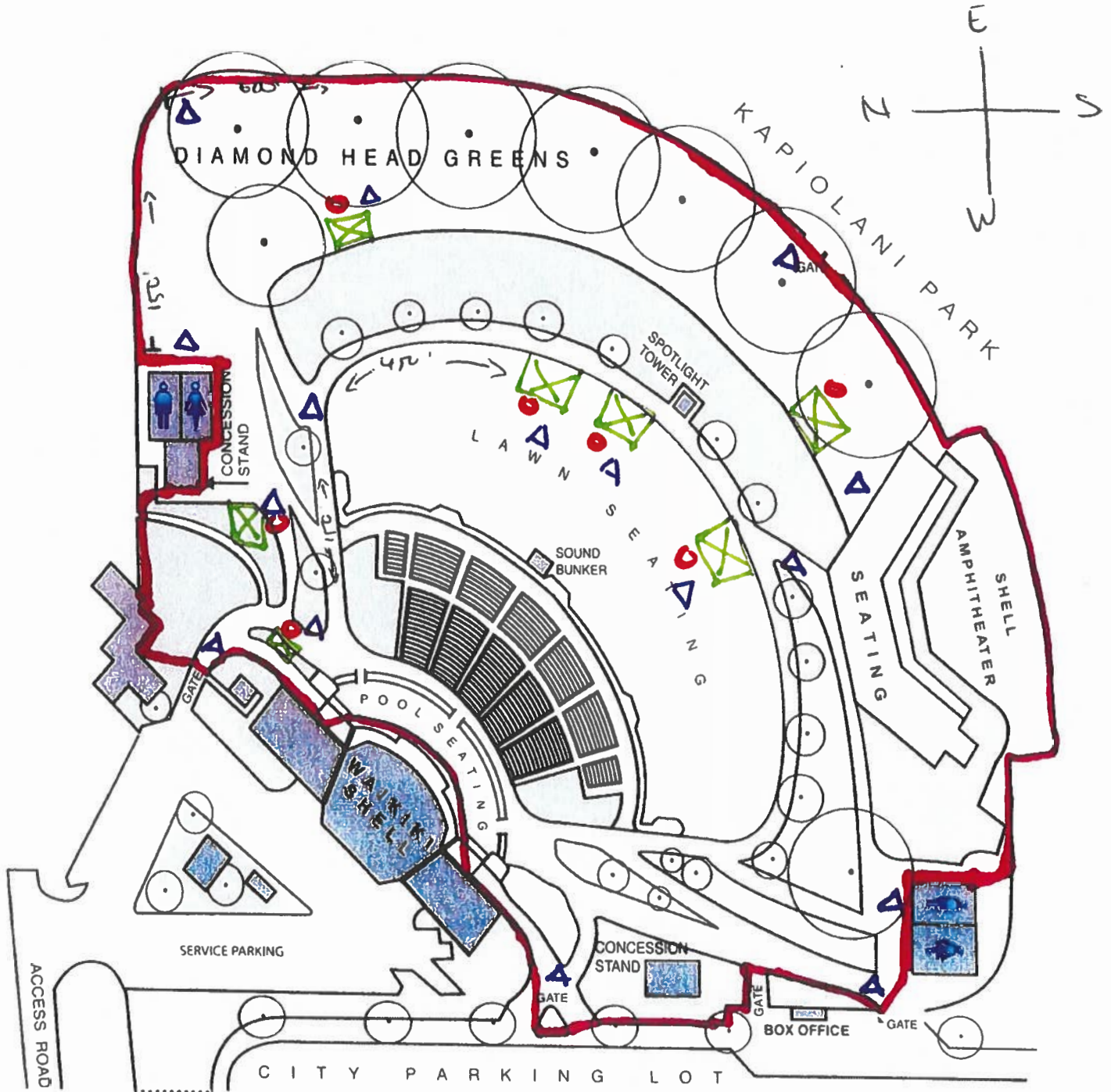
Franklin "Don" Pacarro, Jr.
Administrator

Date

WAIKIKI SHELL GROUNDS

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 JUN 22 P 9:28



△ - Security

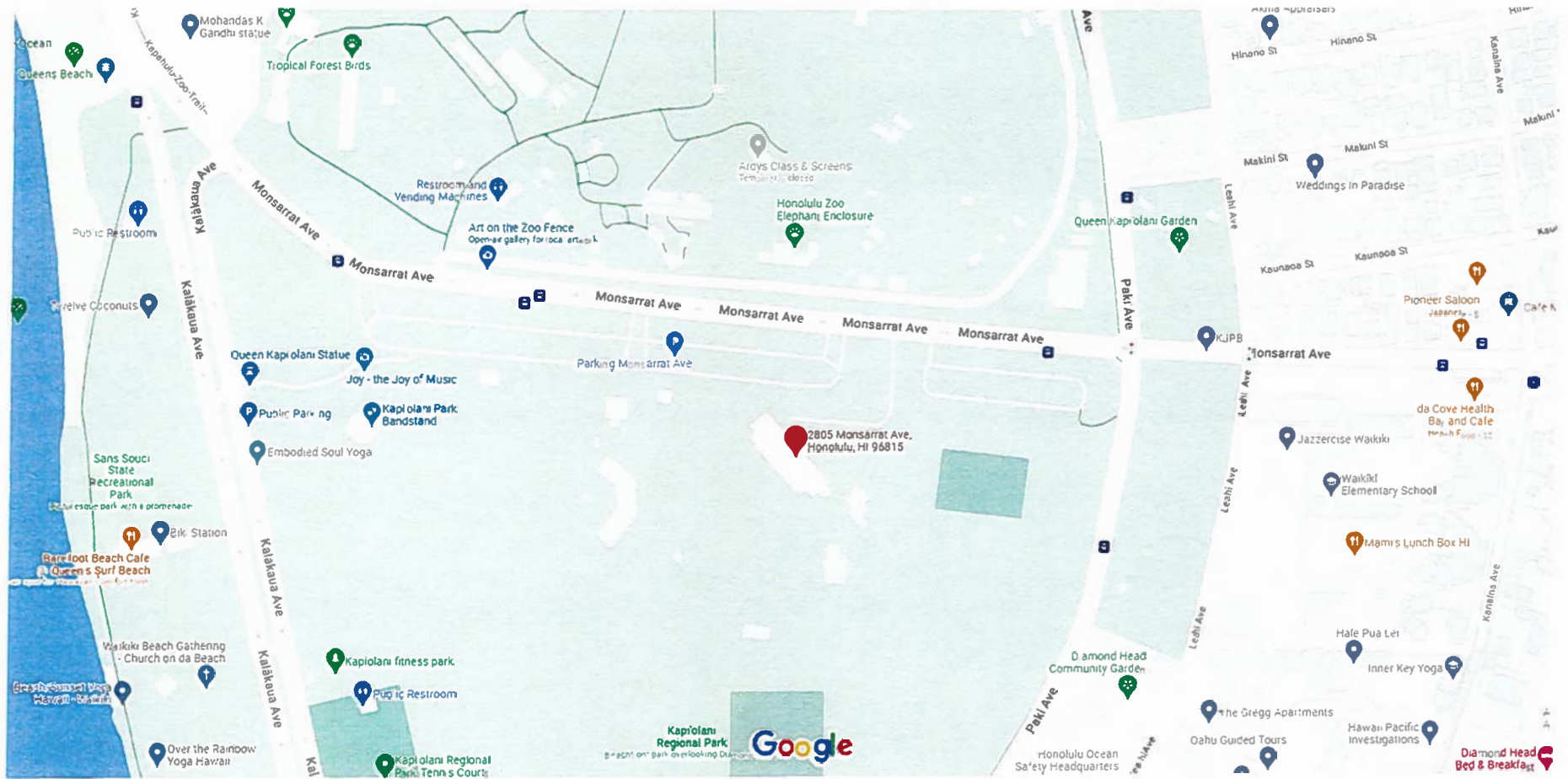
○ - ID CHECKER

⊗ - Alc. Point of Sale

★ - will have additional roaming security

EXHIBIT

Google Maps 2805 Monsarrat Ave



Estomago, Kalona

From: Hirai, Anna C.
Sent: Friday, July 8, 2022 10:10 AM
To: HLC
Cc: Uyechi, Tammie; Augustiro, Zandra; Oh, Douglas; Sato, Daniel T; Estomago, Kalona
Subject: RE: //Additional information for Agenda item #6

Did not receive in time for the item, but as it was continued to next week, will ask hearings to include in the board packet. Thx, Anna

Typos courtesy of autocorrect

From: HLC
Sent: Thursday, July 7, 2022 4:47 PM
To: Hirai, Anna C.
Cc: Uyechi, Tammie; Augustiro, Zandra; Oh, Douglas; Sato, Daniel T; Estomago, Kalona
Subject: FW: //Additional information for Agenda item #6

Hi Anna,
Just noticed this email from Ross Shinsato, came in yesterday, 7/6/22 at 12:28 pm. I'm not sure if this was properly forwarded to you. Our apologies if it was not. Thank you- Kris

From: Nokaoi Liquor [<mailto:nokaoiliquor@gmail.com>]
Sent: Wednesday, July 6, 2022 12:28 PM
To: HLC <HLC@honolulu.gov>
Cc: alot@hawaii.rr.com
Subject: //Additional information for Agenda item #6

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Honolulu Liquor Commission

A liquor inventory list of the liquor remaining in the inventory of King's Pub E1474 is attached. Please provide to the Commission, the attached inventory.

Thank you,

Ross Shinsato

No Ka Oi Liquor Licensing
PO Box 2534
Honolulu, HI 96804-2534
808-798-4475

VODKA						
V	PRODUCT	FRONT	BACK	TOTAL	UNIT PRICE	COST
YM	CRYSTAL	2	6	8	6.6	52.8
SWS	ABSOLUT			0	27.08	0
SWS	ABSOLUT CITRON	0.5	1	1.5	27.08	40.62
SWS	ABSOLUT MANDARIN	0.3	1	1.3	27.08	35.204
SWS	DEEP EDDY G	0.2	1	1.2	22.55	27.06
SWS	DEEP EDDY L	1		1	22.55	22.55
SWS	DEEP EDDY TEA	1	1	2	22.55	45.1
SWS	GREY GOOSE			0	43.71	0
SWS	KETTLE ONE			0	34.83	0
SWS	PAU MAUI			0	18	0
SWS	STOLI	0.6		0.6	27.5	16.5
SWS	STOLI BLUEBERRY	0.2	1	1.2	27.5	33
SWS	STOLI RASBERRY	0.8	1	1.8	27.5	49.5
SWS	STOLI VANILLA	0.2	3	3.2	27.5	88
YM	THREE OLIVES CHERRY	0.4	1	1.4	28	39.2
YM	TITO'S VODKA			0	24.65	0
GIN				0		0
SWS	POTTER'S GIN W	1.1	6	7.1	7.02	49.842
SWS	BEEFEATER	0.3	2	2.3	25.4	58.42
SWS	TANQUERAY	0.8	2	2.8	26	72.8
YW	BOMBAY SAPPHIRE	0.7	1	1.7	35.04	59.568
YW	HENDRICK'S GIN	0.3	1	1.3	50.5	65.65
RUM				0		0
YM	CALYPSO	1.3	3	4.3	6.19	26.617
SWS	CAPT. MORGAN'S	0.3	1	1.3	24.25	31.525
SWS	MALIBU		2	2	19.9	39.8
SWS	MYER'S DARK	0.8	1	1.8	24.9	44.82
YM	BACARDI 151			0	25.5	0
YM	BACARDI SILVER			0	19.69	0
YM	SAILOR JERRY'S	0.8	1	1.8	26	46.8
YM	HANA BAY	1.8	9	10.8	8.88	95.904
TEQUILA				0		0
YM	MONTZM TEQUILA W	0.9	7	7.9	10.35	81.765
SWS	PATRON SILVER			0	50.55	0
SWS	PATRON ANEJO			0	50.55	0
SWS	SAUZA HORN ROP	1		1	25.38	25.38
SWS	SAUZA HORN PLATA		2	2	25.38	50.76
YM	1800 REP	0.5	1	1.5	36.1	54.15
YM	1800 SILVER	0.3		0.3	36	10.8
YM	XO	0.8	1	1.8	42.45	76.41

YM	CAZADORES BLANCO		2	2	36.44	72.88
YM	CAZADORES REP	0.5	2	2.5	36.44	91.1
YM	CUERVO GOLD	1	1	2	21.13	42.26
YM	CUERVO SILVER	0.2	1	1.2	22.38	26.856
AMERICAN WHISKEY				0		0
YM	KENTUCKY GENTLE	0.6	12	12.6	6.4	80.64
	BULLET	0.2	2	2.2	34.42	75.724
SWS	BULLIET RYE	0.8	1	1.8	34.42	61.956
SWS	CROWN ROYAL	0.9	1	1.9	34.5	65.55
SWS	CROWN APPLE	0.7	2	2.7	34.5	93.15
SWS	JIM BEAM	0.7	1	1.7	19.56	33.252
SWS	KNOB CREEK BOURBON	0.5		0.5	32.83	16.415
SWS	MAKER'S MARK	0.2	1	1.2	34.93	41.916
SWS	SEAGRAMS 7	0.5	1	1.5	20.25	30.375
SWS	C C	0.3	1	1.3	20.71	26.923
SWS	SEAGRAMS VO	1		1	24.02	24.02
SWS	WILD TURKEY 101	0.7	2	2.7	27.88	75.276
SWS	WILD TURKEY RARE	0.1		0.1	27.88	2.788
YM	BUFFALO TRACE	0.5	2	2.5	23.55	58.875
YM	FIREBALL	0.8		0.8	20.1	16.08
YM	JACK DANIELS	0.1	1	1.1	32.25	35.475
YM	SOUTHERN COMFORT	0.3	1	1.3	23.5	30.55
IRISH WHISKEY				0		0
SWS	JAMESON			0	29.13	0
SWS	RED BREAST			0	52.45	0
YM	BUSHMILLS			0	28.13	0
SWS	CHIVAS	1		1	31.45	31.45
YM	TULLAMORE DEW		1	1	30.2	30.2
SCOTCH				0		0
SWS	GLENFIDDICH	0.3	1	1.3	48.5	63.05
SWS	GLENLIVET 12	0.9		0.9	48.5	43.65
SWS	JOHNNY WALKER BLACK	0.2		0.2	45.79	9.158
SWS	JOHNNY WALKER RED	0.2	2	2.2	31.45	69.19
	MCCALLAN			0		0
YM	HIGHLAND SCOTCH		1	1	8.39	8.39
YM	DEWAR'S	0.8	2	2.8	30.4	85.12
WINE				0		0
SWS	PINOT G	3	20	23	1.7	39.1
PB	CRANE LAKE CHARD	1	20	21	1.7	35.7
PB	CRANE LAKE CAB	9	8	17	1.7	28.9
PB	CRANE LAKE PINOT			0	1.7	0
PB	SC BRUT			0	2.7	0
PB	TRULY	18		18	1.4	25.2

						0
OTHER				0		0
SWS	ANGOSTURA BITTERS			0	16.91	0
SWS	RED BULL			0	1.56	0
YM	COCK'N BULL GB				1.91	0
YM	MARTINI & ROSSI DRY	0.8	1	1.8	11.16	20.088
YM	MARTINI & ROSSI SWEET	0.8	2	2.8	12.34	34.552
CORDIALS				0		0
YM	TRIPLE SEC W	1.3		1.3	8.13	10.569
SWS	FRANGELICO	4	1	5	31.7	158.5
SWS	GOLDSCHLAGER	0.5	3	3.5	30	105
SWS	GRAND MARINIER	1		1	45.3	45.3
SWS	HENNESSY VS	0.9		0.9	52.75	47.475
SWS	COURVOISIER	0.5	1	1.5	28.08	42.12
SWS	JAGER	1.2	1	2.2	28.69	63.118
SWS	KAHLUA	0.6	2	2.6	29.67	77.142
SWS	MIDORI	0.6	1	1.6	28.51	45.616
SWS	RUMPLEMINZ	0.9	3	3.9	28.5	111.15
SWS	SAMBUCA	1	2	3	27.5	82.5
SWS	SAMBUCA BLACK	0.7		0.7	23.8	16.66
SWS	CAROLANS IRISH CRM.	0.9	1	1.9	20.75	39.425
YM	CHAMBORD	0.2	2	2.2	31.35	68.97
YM	COINTREAU	0.2	2	2.2	39.74	87.428
YM	DISARANO	0.6	1	1.6	34.3	54.88
YM	DRAMBOUIE		3	3	31.35	94.05
YM	FERNET	0.1	2	2.1	33.29	69.909
YM	GALLIANO	0.3	1	1.3	34.35	44.655
YM	REMY MARTIN	0.5	1	1.5	57.78	86.67
YM	AMARETTO	1	1	2	12.13	24.26
YM	BLUE CURACAO	0.5		0.5	9.7	4.85
YM	BUTTER SCHNAPPS	0.5		0.5	8.8	4.4
YM	CRÈME DE BANANA	0.9	1	1.9	13	24.7
YM	CRÈME DE MINT	0.8	1	1.8	8.13	14.634
YM	CRÈME DE COCOA			0	8.9	0
YM	MELON	1	2	3	11.53	34.59
YM	ORANGE CURACAO	0.8	1	1.8	11.57	20.826
YM	PEACH SCHNAPPS	0.4		0.4	12.74	5.096
YM	PEPPERMINT		1	1	11.57	11.57
YM	RAZMATAZZ	1.4	1	2.4	8.13	19.512
YM	SLOE GIN			0	11.01	0
YM	SOUR APPLE	0.5	1	1.5	8.9	13.35
YM	WATERMELON	0.9	1	1.9	8.9	16.91
YM	TUACA	0.6	2	2.6	36.44	94.744

YM	RUMCHATA	0.5		0.5	28.5	14.25
BEER BOTTLE				0		0
PB	COORS ORIGINAL			0	1.17	0
PB	COORS LIGHT	10	108	118	1.17	138.06
PB	CORONA	13	12	25	1.36	34
PB	HEINEKEN	1		1	1.33	1.33
PB	STRONGBOW	2	24	26	148	3848
PB	MILLER HIGH LIFE	5	42	47	1.49	70.03
PB	MILLER LITE	14	24	38	1.17	44.46
	MODELO	9	24	33	1.35	44.55
PB	PACIFICO	4	18	22	1.33	29.26
PB	GUINNESS	8	8	16	1.72	27.52
AB	BUD LIGHT	3	36	39	1.21	47.19
AB	BUDWEISER	9	69	78	1.21	94.38
AB	CLIFF	6	24	30	161	4830
AB	BIG WAVE	3	6	9	1.51	13.59
AB	ODOULS	6	6	12	143	1716
AB	STELLA	5	18	23	1.33	30.59
AB	ULTRA	9	6	15	1.31	19.65
BEER KEG				0		0
PB	PABST BLUE RIBBON	0.6		0.6	156	93.6
PB	IPA	1		1	192	192
AB	LONGBOARD	0.4		0.4	175	70
TOTAL						15865.393

Continued from

#6
7/7/22

JUL 7 2022 to JUL 14 2022

Hirai, Anna C.

From: Keith M Kiuchi <kkiuchi106@cs.com>
Sent: Thursday, July 7, 2022 5:21 AM
To: Hirai, Anna C.; syu@khilaw.com
Subject: Re: 7/7/22 Meeting - Request from Ruma Spear LLC

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

We knew that she was closing down King's Pub without the approval of the 25% owner. We're going to oppose the request but ask it be calendared when I get back, which will not be until next week.

-----Original Message-----

From: Hirai, Anna C. <ahirai@honolulu.gov>
To: Sylvia Yu <syu@khilaw.com>; Keith Kiuchi <kkiuchi106@cs.com>
Sent: Wed, Jul 6, 2022 5:48 pm
Subject: 7/7/22 Meeting - Request from Ruma Spear LLC

Don't know if Keith is back from vacay yet, but does he know about this request from Eichelberger?

Request No. 22-25054 from Ruma Spear LLC, dba Arnold's Beach Bar & Grill, Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing), 339 Saratoga Road (E1431) Requesting approval to obtain remaining liquor inventory from Ruma Spear LLC, dba King's Pub, Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing), 444 Niu Street, Lower Lobby, Suites 4/5 (E1474)

Anna

Typos courtesy of autocorrect

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2022 JUL -7 A 9:09

Please place on
Agenda 07/07/22

#22-28654 -

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 JUN 24 P 1:16

Honolulu Liquor Commission,
Arnold's Beach Bar requests that it be allowed to obtain the
remaining liquor inventory from King's Pub. King's Pub legally
obtained the liquor inventory from licensed wholesalers in the
State of Hawaii. King's Pub and Arnold's share common
ownership. Ruma Spear is the common owner.



Debbie M Eichelberger
P.O. Box 355
Kailua HI 96734

LICENSE E1431

LICENSE, LICENSEE, OFFICER DATA

TYPE: DISPENSER
KIND: GENERAL
CAT: DANCING
STATUS: ACTIVE

EFF DATE: 12/09/2004
START DATE: 07/01/2021
EXPIRE DATE: 06/30/2022
ZONE:

LICENSE: E1431
OLD LICNUM: T0052
AMOUNT: 1,980.00
DURATION: 12

NAME: ARNOLD'S BEACH BAR & GRILL

ADDRESS: 339 SARATOGA RD
CITY: HONOLULU
PHONE: 542-0120

STATE: HI

ZIPCODE: 96815

LICENSEE NAME: RUMA SPEAR LLC

ADDRESS: P.O. BOX 355
CITY: KAILUA

STATE: HI

ZIPCODE: 96734

OFFICER NAME:

JEFFERS, DANIEL J.

TITLE:

MGR/MBR

HIRE DATE:

12/09/2004

ID:STOCK:

100

COMMENTS: FORMERLY E1354 DEBBIE EICHELBERGER (MBR/MGR) APRV 5/10/TO SIGN 2019 LIQ LIC RENEWAL STAND ALONE TEMP1 EFFECT: 06/14/04 - 10/12/0418
STAND ALONE TEMP2 EFFECT: 10/13/04 - 12/12/04 RANDALL SPEAR AUTH REP PER 1/21/05 FAX

lic information

LICENSE E1474

LICENSE, LICENSEE, OFFICER DATA

TYPE: DISPENSER
KIND: GENERAL
CAT: DANCING
STATUS: ACTIVE

EFF DATE: 09/14/2009
START DATE: 07/01/2021
EXPIRE DATE: 06/30/2022
ZONE:

LICENSE: E1474
OLD LICNUM:
AMOUNT: 1,980.00
DURATION: 12

NAME: KING'S PUB

ADDRESS: 444 NIU ST, LOWER LOBBY, SUITES 4/5

CITY: HONOLULU

STATE: HI

ZIPCODE: 96815

PHONE: 947-4796

LICENSEE NAME: BLU BOY INC.

ADDRESS: P.O. BOX 355

CITY: KAILUA

STATE: HI

ZIPCODE: 96734

OFFICER NAME:

EICHELBERGER, DEBBIE M.

TITLE:

PRES/VP/SEC/TREAS/D

HIRE DATE:

11/23/2010

ID:

STOCK:

100

COMMENTS: REFERENCE LCV 09-0084 3-82-31.2(B) RECLASSIFICATION HEARING 09/03/2009
DEBBIE ESCHELBERGER CELL 542-0120

12#23-0005

7/1/22

Please place on
Agenda 7/14/22 ah

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 JUL -1 P 12:50

TO: HONOLULU LIQUOR COMMISSION
PR: DON GOYO'S MEXICAN FOOD INC. (R01420)
45-480 KANEHOE BAY DR. SP #D03, KANEHOE
RE: LATE RENEWAL OF LIQUOR LICENSE

DON GOYO'S MEXICAN FOOD INC. REQUESTS THAT
THE LIQUOR COMMISSION ALLOW LATE RENEWAL
OF ITS 2023 LIQUOR LICENSE.

WE REQUEST THAT THE RENEWAL APPLICATION,
LICENSE FEE, CERTIFICATE OF INSURANCE
AND STATE OF HAWAII TAX CLEARANCE
BE ACCEPTED PAST THE JUNE 30, 2022
DEADLINE. RULE 3-82-31.4 ALLOWS
THE COMMISSION TO WAIVE THE REQUIREMENT
FOR GOOD CAUSE.

PLEASE SCHEDULE REQUEST FOR LATE
RENEWAL FOR EARLIEST AVAILABLE
HEARING.

SINCERELY
ROSS SHINGATO, AUTHORIZED AGENT



notailiquor@gmail.com
808-798-4475

DEAR. LIQUOR COMMISSION,

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

12#23-00013

2022 JUN 30 P 4: 16

I AM REQUESTING TO RENEW MY LIC-R01363.

AFTER JUNE 30, 2022.

LICENSEE

RANGOON BURMESE KITCHEN

Please place on
Agenda 7/14/22 ah

KHUN SAI

415-314-0415.

Sai 1020 us@yahoo.com

Khun Sai

22-25080

Devon Nekoba
P.O. Box 3888
Honolulu, HI 96812
808-227-4994
dnekoba@hotmail.com

RECEIVED
LIQUOR COMMISSION
C&O OF HONOLULU

2022 JUN 30 P 1:42

REQUEST

JUNE 30, 2022

Please place on
Agenda 7/14/22 ah

HONOLULU LIQUOR COMMISSION
711 KAPIOLANI BLVD, SUITE 600
HONOLULU, HI, 96813

To whom it may concern,

This is a letter to formally request a hearing date to ask for a waiver of the 5 day rule for a stand alone temp application. This is for the former Applebee's location at Ka Makana Ali'i,, 91-5431, Kapolei Parkway. The license number is R1239. This will allow for a stand alone temp for GEN Korean BBQ house at the former Applebee's site. Thank you for your kind attention to this matter.

Aloha,



Devon Nekoba
Agent, Park Event Services LLC
Honolulu, HI 96812

App 23-00050

WAYNE LUKE
ATTORNEY AT LAW
1219 ALA PILI LOOP
HONOLULU, HAWAII 96818

Please place on
Agenda 7-14-22
ah

July 6, 2022

TO: Honolulu Liquor Commission

FROM: Wayne Luke

RE: Request to Waive Rule 3-82-32.1 from AAHII.ORG (hereinafter called AAHII)

Pearl Harbor-Honolulu Branch 46, Fleet Reserve Association operated under Liquor License F0019 since November, 1994. The organization did not renew its license for the 2020-2021 fiscal year. AAHII has obtained possession of the premises and now desires that the Liquor Commission waive Rule 3-82-32.1 to allow its filing for a temporary license.

If the waiver is not granted AAHII will suffer undue economic loss in that it will be operating without a liquor license for a period of six (6) months or more.

The waiver of the Rule would not unduly burden any other parties as the premises has operated over a period of twenty (20) years without incident.

The Liquor Commission has approved similar requests.

Respectfully submitted,

Wayne Luke
Attorney for AAHII.Org